Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Sections 90.20 and 90.175 of the	)	WT Docket No. 02-285
Commission's Rules for Frequency Coordination	)	RM-10077
of Public Safety Frequencies in the Private Land	)	
Mobile Radio Below-470 MHz Band	)	

NOTICE OF PROPOSED RULEMAKING

Adopted: September 16, 2002 **Released: September 19, 2002**

Comment Date: [30 days from date of publication in the Federal Register]
Reply comment date: [45 days from date of publication in the Federal Register]

By the Commission:

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I. INTRODUCTION

1. In this *Notice of Proposed Rulemaking* (*NPRM*), we solicit comment on whether to modify the existing frequency coordination procedures for the Public Safety Pool below 470 MHz by expanding competitive frequency coordination. We also grant the February 21, 2001 Petition for Rulemaking (Petition) filed by the Association of Public-Safety Communications Officials-International, Inc. (APCO) requesting the commencement of a proceeding to amend Section 90.20(c)[1] of the Commission's Rules.[2]

II. BACKGROUND

2. As a general matter, a Private Land Mobile Radio (PLMR) frequency coordinator is a private-sector entity or organization certified to recommend the most appropriate frequencies for use by applicants and licensees in the PLMR services.[3] Frequency coordinators help to ensure that the Commission maximizes the use of the available PLMR spectrum, which is generally shared, for the benefit of all members of the public while mitigating the demand for Commission resources posed by the increasingly complex and growing number of applications for PLMR frequencies. In 1986, the Commission certified four entities as PLMR public safety frequency coordinators for frequencies below 512 MHz.[4] APCO was certified as the coordinator in the Police Radio Service and the Local Government Radio Service.[5] International Association of Fire Chiefs and International Municipal Signal Association (IAFC/IMSA) were certified as the frequency coordinator for the Fire Radio Service.[6] American Association of State Highway Transportation Officials (AASHTO) was certified as the frequency coordinator for the Highway Maintenance Radio Service.[7] Forestry Conservation Communications Association (FCCA) was certified as the coordinator in the Forestry Conservation Radio Service.[8]

3. The Commission received more than one request per radio service for frequency coordination certification.[9] While the Commission recognized that certifying multiple coordinators per service could lower fees,[10] it decided, at that time, to certify a single coordinator in each service in order to reduce the potential for confusion and avoid inconsistent standards.[11] The criteria used for PLMR frequency coordination certification were: (a) representativeness of the users of the frequencies to be

[1] 47 C.F.R. § 90.20(c) (public safety frequencies).

[2] *See* Association of Public-Safety Communications Officials-International, Inc., Petition for Rulemaking, RM-10077 (filed Feb. 21, 2001) (Petition).

[3] For the Part 90 definition of a frequency coordinator see 47 C.F.R. § 90.7. *See also* Frequency Coordination in the Private Land Mobile Radio Services, *Report and Order*, PR Docket No. 83-737, 103 FCC 2d 1093, 1094 ¶ 1 (*Frequency Coordination Report and Order*).

[4] *See Frequency Coordination Report and Order*, 103 FCC 2d at 1126-1147 ¶¶ 70-108.

[5] *Id.* at 1127, 1129 ¶¶ 73, 76.

[6] *Id.* at 1129-31 ¶¶ 75, 77. *See* Amendment of Part 90 of the Commission's Rules to Create the Emergency Medical Radio Service, PR Docket No. 91-72, *Report and Order*, 8 FCC Rcd 1454, 1460 ¶ 33 (1993) (*EMRS Report and Order*) (certifying IAFC/IMSA as the frequency coordinator of the Emergency Medical Radio Service).

[7] *Frequency Coordination Report and Order*, 103 FCC 2d at 1129 ¶ 75.

[8] *Id.* at 1129 ¶ 75.

[9] *Id.* at 1126-1131 ¶¶ 70-9.

[10] Frequency Coordination in the Private Land Mobile Radio Services, *Notice of Proposed Rulemaking*, PR Docket No. 83-737, 49 Fed. Reg. 45454, 45456 ¶ 14 (1984).

[11] *Frequency Coordination Report and Order*, 103 FCC 2d at 1121-22 ¶¶ 57-59.

coordinated; (b) the entity's overall coordination plan (including how recommendations would be made and equality of applicant treatment); (c) the entity's experience coordinating frequencies in the service or technical expertise (*e.g.*, in engineering land mobile radio systems); and (d) nationwide coordination capability (*e.g.*, whether the applicant had a nationwide database of users in the service it proposed to coordinate, and whether the database was automated).[12]

4. In 1997, the Commission consolidated the twenty PLMR services below 512 MHz into two pools, Public Safety and Industrial/Business (I/B).[13] The Public Safety Pool below 512 MHz comprises frequencies that were previously allotted to any of the former Public Safety Radio Services and the Special Emergency Radio Service (SERS).[14] In conjunction with its consolidation decision, the Commission authorized the coordinators of the services consolidated into the Public Safety Pool to manage only frequencies that they were previously responsible for prior to consolidation, with one exception – namely, allowing any of the certified public safety frequency coordinators to coordinate frequencies assigned to the former Local Government Radio Service.[15] Consequently, AASHTO, IAFC/IMSA, APCO, and FCCA (collectively, the public safety coordinators) share responsibility for coordinating Public Safety Pool frequencies below 512 MHz that were allotted to the former Local Government Radio Service. The Commission found that retaining exclusive coordination and introducing limited competition would preserve much of the status quo, provide frequency coordinators access to a greater number of frequencies with which to accommodate applicants, and permit applicants to apply directly for frequencies that were previously available only through inter-service sharing procedures.[16] The Commission also found that preserving the jurisdiction of the individual public safety frequency coordinators over the radio spectrum for which they were responsible, while expanding access to Local Government Radio Service frequencies, would help ensure consistency with local, regional, and state public safety communications plans.[17] In this connection, the Commission stated that "[e]ach Public Safety frequency coordinator must be knowledgeable" about the specific plans that have been established in the radio service in which they coordinate to avoid any unintended public safety consequences.[18]

5. With respect to frequencies in the former Local Government Radio Service, the Commission believed that adopting a policy of competitive frequency coordination would not adversely affect public safety communications and would further the public interest. In this regard, the Commission noted that prior to consolidation, the frequencies were available to all governmental public safety entities

[12] *Id.* at 1126 ¶ 70. Special emphasis was placed on representativeness given the Commission's decision to certify only one coordinator per service. *Id.*

[13] Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Second Report and Order*, PR Docket 92-235, 12 FCC Rcd 14307, 14317-18 ¶ 20 (1997) (*Refarming Second Report and Order*). The Commission consolidated the former Public Safety Radio Services below 470 MHz into the Public Safety Pool. *Id.* at 14318 ¶ 20. As part of consolidation the Commission also listed the 470-512 MHz band in both the Public Safety and I/B Pools rather than divide the frequencies between the two pools. *Id.* The Commission had previously consolidated the bands in the 470-512 MHz band into one General Access Pool. Frequencies in the 470-512 MHz band, unlike frequencies allotted to a specific radio service or group of services, were available to all eligibles on a first-come, first-served basis. *Id.*

[14] *See* 47 C.F.R. §§ 90.15-90.20.

[15] *Refarming Second Report and Order*, 12 FCC Rcd at 14327 ¶¶ 37-38. This did not include frequency coordination in the former Special Emergency Radio Service.

[16] *Id. See* 47 C.F.R. § 90.176 (1996).

[17] *Refarming Second Report and Order*, 12 FCC Rcd at 14328 ¶ 39.

[18] *Id.* at 14328 n.96.

and routinely used for both emergency and non-emergency communications.[19] The Commission explained that when "similarities exist in the types of systems that PLMR licensees utilize," and that, "where systems are virtually identical and user needs similar ... any of the recognized in-pool frequency coordinators, with the extensive experience and technical expertise in engineering systems and selecting frequencies, possess the ability to provide frequency coordination recommendations."[20] The Commission determined that the introduction of competition among frequency coordinators in the former Local Government Radio Service should promote lower coordination costs and foster better service to the public,[21] *i.e.*, "reduce the time it takes to obtain a coordination, thereby allowing users to get on-the-air quicker."[22]

6. In addition, the Commission required that the public safety coordinators adopt a "notification" system to ensure that applications for the former Local Government Radio Service do not conflict with pending applications.[23] The Commission believed that such notification requirement would promote expedient and effective recommendations. It also would further the overall effectiveness of the frequency coordination process by encouraging and facilitating cooperation among the public safety coordinators.[24] At that time, the Commission indicated that a real-time common coordinator database was desirable, but declined to require creation of such database to allow the coordinators to pursue less expensive and less complex methods of sharing data and maintaining up-to-date records. The Commission also believed that the public safety coordinators were in the best position to determine how to implement the notification requirement.[25]

7. Our current frequency coordination rules require applicants for Public Safety Pool frequencies below 512 MHz frequencies to obtain coordination from the certified coordinator for the specified former Public Safety Radio Service.[26] Specifically, Section 90.20(c) of our Rules indicates which frequencies are available for assignment and the certified frequency coordinator for each Public Safety Pool frequency below 512 MHz. It designates a frequency for coordination by a specific public safety frequency coordinator or by any of the four certified public safety frequency coordinators.[27] Currently, approximately 1,000 Public Safety Pool frequencies below 512 MHz are subject to exclusive coordination. APCO is designated as the coordinator for 455 of those frequencies. AASHTO is designated as the coordinator for 98 frequencies. FCCA is designated as the coordinator for 131 frequencies. And, IAFC/IMSA are the coordinators for 305 frequencies.

8. In February 2001, APCO filed a rulemaking petition seeking to introduce competitive coordination in the Public Safety Pool for frequencies below 512 MHz.[28] APCO argues that opening the

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[19] *Id.*

[20] *Id.*

[21] *Id.* at 14327 ¶ 38.

[22] *Id.* at 14328 ¶ 40.

[23] *Id.* at 14332 ¶ 46. *See* 47 C.F.R. § 90.176(b) (frequency coordinator notification).

[24] *Refarming Second Report and Order*, 12 FCC Rcd at 14333 ¶ 47.

[25] *Id.* at 14332 ¶ 46.

[26] 47 C.F.R. §§ 90.20(c); 90.175.

[27] 47 C.F.R. § 90.175(b). Section 90.175 of our Rules requires a statement be obtained from the applicable coordinator and, in certain instances, concurrence from the applicable public safety frequency coordinator for Public Safety Pool frequencies below 512 MHz that are designated for coordination by one of the four public safety frequency coordinators.

[28] *See* Petition. The other three certified public safety frequency coordinators, American filed comments opposing the Petition. Com-Net Ericsson also objected to the Petition. *See* Letter from Robert J. Speidel, Esq., to Thomas J. (continued....)

former service-specific channels to competitive coordination would streamline the coordination process, introduce competition among coordinators, and reduce costs for applicants.[29] AASHTO, FCCA, and IAFC/IMSA oppose APCO's Petition, each arguing that none of the other coordinators understand the special needs of the relevant user communities.[30] They further argue that other coordinators are unfamiliar with specific local or regional plans that have been developed for each of the different user communities.[31] They express concern that a competitive coordination approach could result in errors and coordination interference, which could jeopardize lives and property.[32]

III. DISCUSSION

9. As an initial matter, we note that in the context of the *Refarming* proceeding, the Commission stated that it would revisit the issue of competitive frequency coordination for Public Safety Pool frequencies below 512 MHz if a more integrated coordination system could be designed that would not impair public safety interests.[33] Three factors, in addition to APCO's specific request that we amend Section 90.20 of the Commission's rules to provide for competitive frequency coordination in the Public Safety Pool, lead us to believe that this would be an appropriate time to revisit this issue.

10. First, we have gained experience regarding competitive frequency coordination in the context of the former Local Government Radio Services. Such competition has been present for almost five years. To date, we have not received any information that public safety communications have been adversely affected as a result thereof.

11. Second, we have implemented the Universal Licensing System (ULS) for the Wireless Radio Services, including the Public Safety Pool frequencies.[34] Prior to implementation of the ULS, PLMR applicants used a myriad of forms for various types of requests and the applications were stored in separate databases, many of which did not accommodate electronic filing. This patchwork approach to application processing resulted in significant processing delays and was resource-intensive for both applicants and Commission staff. It also did not provide for easy access to licensing information. By contrast, the ULS provides the capability of electronic filing for all licensing issues, including new applications, amendments to pending applications, renewals, modifications, required notifications, and other filings.

12. The ULS provides numerous benefits including fast and easy electronic filing, improved data accuracy through automated checking of applications, and enhanced electronic access to licensing

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Sugrue, Chief, Wireless Telecommunications Bureau (received Apr. 2, 2001). FCCA also filed an erratum to its comments. APCO filed a reply to comments. Any party that wishes to have its position considered in this proceeding should file comments in response to this *Notice of Proposed Rulemaking*, even if it filed comments on the APCO Petition.

[29] Petition at 4-6.

[30] AASHTO Comments at 4-7; FCCA Comments at 3; IAFC/IMSA Comments at 8 .

[31] AASHTO Comments at 4-7; FCCA Comments at 3; IAFC/IMSA Comments at 6.

[32] AASHTO Comments at 4-7; FCCA Comments at 3-4; IAFC/IMSA Comments at 6-9.

[33] *Refarming Second Report and Order*, 12 FCC Rcd at 14328 ¶ 39.

[34] Biennial Regulatory Review – Amendment of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, Amendment of the Amateur Service Rules to Authorize Visiting Foreign Amateur Operators to Operate Stations in the United States, WT Docket Nos. 98-20 and 96-188, *Report and Order*, 13 FCC Rcd 21027, 21030 ¶ 1 (1998) (*ULS Report and Order*).

information. A large percentage of the PLMR applications filed with the Commission are submitted by the FCC-certified frequency coordinators. Frequency coordinators use the ULS electronic batch format to transmit multiple applications electronically. Moreover, all PLMR application and licensing information is stored in the ULS database. As a result, the ULS reduces the cost of preparing applications and increases the speed and efficiency of the licensing process. Consequently, we believe that the existence and development of the ULS has increased cooperation among all FCC-certified frequency coordinators, including the four public safety coordinators, and between the coordinators and the Commission, which is so important to the success of the overall licensing process. We therefore believe that the ULS has made it easier for coordinators to communicate and to share information.

13. Third, we now allow competitive frequency coordination for public safety frequencies in the 700 MHz and 800 MHz bands. In 1998, the Commission introduced competition among public safety frequency coordinators by certifying all public safety coordinators to coordinate 700 MHz public safety spectrum.[35] The Commission found that the frequency coordination approach adopted for the former Local Government Radio Service was appropriate for the "General Use" channels in the 700 MHz band.[36] In 2001, the Wireless Telecommunications Bureau (Bureau) introduced competitive coordination among the four public safety frequency coordinators for public safety systems operating in the 800 MHz band.[37] With respect to the 800 MHz public safety spectrum available for licensing to all public safety entities, the Bureau concluded that there were no significant differences between applications for and licensing in the 800 MHz public safety bands and frequencies allotted to the former Local Government Radio Service below 512 MHz[38] and the 700 MHz band.

14. In the context of this *Notice of Proposed Rulemaking*, we seek to explore whether the frequency coordination process for Public Safety Pool frequencies below 512 MHz should be modified by introducing competitive frequency coordination. As discussed in further detail below, we have identified three possible approaches. First, as APCO requests in its Petition, we could open all Public Safety Pool frequencies below 512 MHz to competitive frequency coordination.[39] Second, we could introduce competitive frequency coordination in a limited fashion by adopting a contour overlap approach similar to

[35] In 1997 we allocated 24 MHz of spectrum (764-776 MHz and 794-806 MHz, hereinafter "the 700 MHz band") to meet public safety communications needs. *See* Reallocation of Television Channels 60-69, the 746-806 MHz Band, *Report and Order*, ET Docket No. 97-157, 12 FCC Rcd 22953 (1997) (*Reallocation Report and Order*). In 1998, we adopted a band plan and service rules necessary to commence the licensing process for the 700 MHz band, including a regional planning process to govern 12.6 MHz of spectrum designated for "General Use" (state, local, and regional use). *See* Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, Establishment of Rules and Requirements for Priority Access Service, *First Report and Order and Third Notice of Proposed Rulemaking*, WT Docket No. 96-86, 14 FCC Rcd 152, 200 ¶ 98 (1998) (*700 MHz Report and Order)* (providing competitive frequency coordination for the 700 MHz General Use spectrum).

[36] *700 MHz Report and Order*, 14 FCC Rcd at 200 ¶ 98 (citing *Refarming Second Report and Order*, 12 FCC Rcd at 14327).

[37] AASHTO, *et al., Order,* 16 FCC Rcd 14530, 14540 ¶ 14 (2001) (*800 MHz Order*). The *800 MHz Order* granted requests filed by AASHTO and IAFC/IMSA for certification to frequency coordinate 800 MHz public safety frequencies, which previously had been coordinated exclusively by APCO. In this connection, the Bureau declined to consolidate the requests with the instant petition as suggested by APCO. *Id.* at 14539 ¶ 12.

[38] *See Refarming Second Report and Order*, 12 FCC Rcd at 14327 ¶¶ 37-38 (distinguishing the Local Government Radio Service from other below 512 MHz public safety radio services).

[39] In this connection, we note that APCO proposes to introduce competitive coordination on the former Public Safety Radio Service frequencies and not the former Special Emergency Radio Service (SERS) frequencies presently subject to coordination by IAFC/IMSA and the Personal Communications Industry Association, Inc. (PCIA). *See* Petition at 1; Reply at 1.

that adopted in the *Refarming Fifth Memorandum Opinion and Order.*[40] Under this approach, all Public Safety Pool frequencies could be coordinated by any Public Safety Pool frequency coordinator, unless that coordinator's study showed that the proposed station could cause interference to an existing station, in which case the consent of the service-specific coordinator for that frequency would be required. Third, as urged by several commenters, we could retain exclusive frequency coordination procedures.

A. Introduction of Competitive Frequency Coordination

1. APCO Proposal

15. APCO argues that introducing competitive coordination will lower costs to applicants[41] and provide for more efficient coordination because coordinators will no longer be required to obtain concurrence from another coordinator.[42] APCO asserts that all of the public safety frequency coordinators are broadly representative of licensees in these frequencies because open eligibility in the Public Safety Pool and interservice sharing has allowed a broad mix of licensees to develop on these frequencies.[43] APCO contends that under a competitive frequency coordination approach, the procedures developed by the public safety coordinators in coordinating the former Local Government Radio Service could be used for these channels.[44]

16. We believe it would be in the public interest to seek comment on APCO's proposal to introduce competitive frequency coordination for all Public Safety Pool frequencies below 470 MHz. In this connection, we note that prior to the creation of the Public Safety Pool, former Local Government Radio Service frequencies were used routinely by all Public Safety Radio Service eligibles for both non-emergency and emergency communications.[45] Further, there was a large number of 450-470 MHz frequencies allotted to all the former Public Safety Radio Services.[46] Given that these frequencies were available to all public safety entities, the Commission said that any of the certified coordinators could

[40] Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Fifth Memorandum Opinion and Order*, PR Docket 92-235, 16 FCC Rcd 416, 418-19 ¶ 7 (2000) *(Fifth MO&O)*.

[41] Petition at 4-5.

[42] *Id.* at 5. *See* n.27 *supra.*

[43] *Id.* at 3. Prior to 1997, eligibles in the 150-174 MHz and 450-470 MHz public safety bands were permitted to share frequencies in the various Public Safety Radio Services through interservice sharing processes. 47 C.F.R. § 90.176 (1996). The interservice sharing rules for frequencies below 470 MHz were adopted in 1981. *See Frequency Coordination Report and Order*, 103 FCC 2d at 1110 n.15 *citing Report and Order* in Docket No. 81-110, released Nov. 5, 1981, 46 Fed.Reg. 55701 (Nov. 12, 1981). We later declined to extend the interservice sharing rules to frequencies in the 25-50 MHz band. *See* Amendment of Subpart H of Part 90 of the Commission's Rules and Regulations to Facilitate Interservice Sharing of Frequencies in the Private Land Mobile Services Below 470 MHz, PR Docket No. 81-110, *Memorandum Opinion and Order*, 51 Rad. Reg. 2d (P & F) 1271 (1982). As a result of consolidation and open eligibility in the Public Safety Pool, we deleted the interservice sharing rules. *See Refarming Second Report and Order*, 14 FCC Rcd at 14323 ¶ 29.

[44] Petition at 4.

[45] *Refarming Second Report and Order*, 114 FCC Rcd at 14327 ¶ 38. For example, we noted that in many communities Local Government Radio Service frequencies may be the principal fire or highway maintenance frequencies and part of a public safety communications plan for these services. *Id.* Therefore, we found that it would seem appropriate for the fire or highway maintenance coordinator (or other public safety coordinator if those frequencies are being used in another context) to be able to provide coordination for these frequencies if they are being used in a fire or highway maintenance communications system. *Id.*

[46] *Id.*

provide coordination for them.[47] It has been our experience that competitive coordination for the former Local Government Radio Service frequencies has been successful. Accordingly, we believe it would be in the public interest to seek comment on whether competitive coordination could be successful for the remaining Public Safety Pool frequencies below 512 MHz.

17. We recognize, however, that there are potential differences between public safety operations on frequencies assigned to the former Local Government Radio Service and those on frequencies that currently may only be coordinated by one entity. Specifically, while the former Local Government Radio Service frequencies were used routinely by all Public Safety Radio Service eligibles, the Commission previously determined that only one coordinator was representative of the users of other Public Safety Pool frequencies below 512 MHz.[48] We seek comment on whether all of the coordinators are now representative of all users in the Public Safety Pool below 512 MHz. In that regard, we note that there is a dispute between APCO and the commenters concerning the significance of sharing of these frequencies. While APCO contends that the existence of sharing shows that all of the coordinators are broadly representative of the licensees on these frequencies, some commenters argue that the concurrence process has not impeded sharing and that no changes are necessary because other coordinators will make frequencies available when sharing is consistent with other systems and public safety plans.[49] We seek comment on the extent to which sharing occurs on these frequencies. We also seek comment on whether APCO, AASHTO, and FCCA are qualified to coordinate SERS frequencies.[50]

18. We also note that there are differences between public safety systems below 512 MHz and those in the 700 MHz and 800 MHz bands. As a general matter, Public Safety Pool spectrum below 512 MHz is shared.[51] In contrast, in the 800 MHz band, there are provisions for exclusive channel assignments.[52] While public safety frequencies below 512 MHz are generally available on a shared basis the Commission has recognized that there are instances where current channel occupants have operations that may not be readily shared by others, or where a channel is so congested that it is not a viable alternative for prospective new operations.[53] In this connection, public safety systems below 470 MHz tend to be older, established systems, while 800 MHz systems are generally newer systems. Additionally,

[47] *Id.*

[48] *Id.* at 14327-28 ¶¶ 37 and 39; *Frequency Coordination Report and Order*, 103 FCC 2d at 1127-31 ¶¶ 73-77.

[49] *Compare* Petition at 4 *with* AASHTO Comments at 3; FCCA Comments at 3; IAFC/IMSA Comments at 7.

[50] APCO contends that PCIA, which is part of the joint SERS coordinator (*i.e.*, PCIA/IAFC/IMSA), is not authorized to coordinate frequencies coordinated by any of the four public safety coordinators, is not representative of state and local government public safety users, and therefore PCIA should not be allowed to coordinate Public Safety Pool channels other than those it is presently authorized to coordinate. *See* Petition at 3 n.6. As a general matter, SERS frequencies are available to non-governmental entities and covers the licensing of the following categories of activities: medical services, rescue organizations veterinarians, handicapped persons, disaster relief organizations, school buses, beach patrols, establishments in isolated places, communications standby facilities, and emergency repair of public communication facilities. 47 C.F.R. § 90.20(a)(2). Non-governmental entities are eligible for non-SERS Public Safety Pool frequencies provided they obtain concurrence from an eligible governmental entity. *Id.*

[51] 47 C.F.R. § 90.173(a). We note that exclusivity can be obtained in the 470-512 MHz band. *See* 47 C.F.R. § 90.313.

[52] 47 C.F.R. §§ 90.625, 90.629, 90.633.

[53] For example, the public safety community makes intensive use of frequencies in the 150-174 MHz (upper VHF) band, which has resulted in these frequencies being extremely congested and has impeded efforts to identify and recommend new public safety assignments on these frequencies without causing harmful interference to existing public safety systems. *See* Alternative Frequencies For Use by Public Safety Systems; Response to Title XVII, Section 1705 of the National Defense Authorization Act for FY 2001 at 5 (2002).

many of the public safety channels in the 700 MHz and 800 MHz bands are subject to a regional planning process. On the other hand, many public safety frequencies below 512 MHz are subject to discrete public safety plans. As a general matter, these plans are designed to promote interoperable public safety communications in localized geographic areas and mutual aid communications according to discrete public safety functions.[54] The individual public safety frequency coordinators often assist in developing these public safety plans below 512 MHz and incorporate these plans in making frequency coordination recommendations in a particular geographic area.[55] While many public safety plans are not filed with the Commission, they often are endorsed and funded by state and local governments to meet public safety communications needs. In the *Refarming* proceeding, the Commission concluded that public safety coordinators were not necessarily proficient in the intricacies of public safety plans in the former public safety radio services and that adopting a multiple coordinator approach could undermine public safety communications.[56] As a result, the Commission fashioned the frequency coordination rules for Public Safety Pool frequencies below 470 MHz so as not to disrupt existing practices and procedures for frequency assignment plans by public safety licensees.

19. Several commenters on APCO's Petition are convinced that none of the four public safety coordinators are aware of the specific needs of all public safety licensees and that allowing non-representative frequency coordinators to coordinate these frequencies would endanger public safety systems.[57] We ask commenters to address whether there are any significant differences between applications and licensing in the Public Safety Pool below 470 MHz and the frequencies formerly allocated to the Local Government Radio Service, the 700 MHz and 800 MHz public safety bands.[58] We seek comment on whether introducing competitive coordination would complicate the coordination process, increase disputes between coordinators, delay implementation of public safety systems, (which in turn could undermine critical communications), or increase the burden on the Commission, and whether recommendations would be made giving due consideration to the practices and procedures of discrete public safety plans.[59] In this connection, we seek comment on whether the four public safety coordinators are proficient in the intricacies of the needs and plans of all public safety user groups.[60] We ask coordinators to discuss what is meant by a state, local, or regional plan, and identify which public safety plans apply to Public Safety Pool frequencies below 512 MHz.[61]

20. We note that APCO and some other coordinators have raised allegations of discriminatory treatment and warehousing of spectrum by public safety coordinators.[62] The current record does not contain specific and substantiated evidence that any of the coordinators have discriminated or that the coordinators have warehoused frequencies.[63] We note that we have taken steps to eliminate warehousing by limiting the number of frequencies public safety entities may apply for as

[54] Com-Net Comments at 2.

[55] *Id.*

[56] *Refarming Second Report and Order*, 14 FCC Rcd 14328 ¶ 39 n.96.

[57] AASHTO Comments at 3-6; FCCA Comments at 2-3; IAFC/IMSA Comments at 6-9; Com-Net Comments at 2-3.

[58] AASHTO Comments at 2; APCO Reply at 2.

[59] AASHTO Comments at 4-5; FCCA Comments at 3-4; IAFC/IMSA Comments at 9.

[60] *800 MHz Order*, 16 FCC Rcd 14530.

[61] APCO Reply at 5. In this connection, APCO questions what is meant by regional plan in the below-470 MHz band and suggests that most public safety plans apply to frequencies below 75 MHz. *Id.* n.2-3.

[62] Petition at 3 n.7; AASHTO Comments at 5; IAFC/IMSA Comments at 7 n.8.

[63] Petition at 3 n.7; Reply at 4; AASHTO Comments at 4-5; IAFC/IMSA Comments at 7 n.8.

part of trunked systems.[64] In this connection, we note that the Bureau is conducting a station construction and operation audit of PLMR licensees below 512 MHz, including public safety licensees.[65] Licensees included in this audit are required to respond to Commission inquiries regarding the status of their stations, including construction and operation.[66] The audit should enable us to address the issue of warehousing of PLMR spectrum in the public safety bands below 512 MHz. We ask commenters to address whether retaining exclusive coordination allows coordinators to "warehouse" or otherwise reserve channels for particular categories of public safety users.[67] In this connection, FCCA argues that coordinators are responsible for protecting critical systems from interference and such activity does not reflect frequency "hoarding," but protection of existing systems.[68] We seek comment on whether commenters consider current individualized spectrum recommendation parameters of certain coordinators to effectively allow spectrum warehousing inconsistent with the letter or spirit of the Commission's rules.[69] We also ask commenters to address what other measures would appropriately address spectrum warehousing concerns while not impairing the quality of frequency recommendations in the Public Safety Pool.

2. Contour Overlap Analysis

21. We are mindful of the concerns that some parties have raised regarding the APCO proposal. To the extent that the public interest would be served by the introduction of competitive frequency coordination in the Public Safety Pool, we believe that this could be accomplished in a more limited fashion without implicating some of the potential negative public safety consequences cited by these parties. In this regard, we refer to another approach to competitive frequency coordination which the Commission adopted in the Industrial/Business Pool context for shared frequencies in the former Power, Railroad, and Petroleum Radio Services.[70]

22. By way of background, in the *Refarming Second Report and Order*, the Commission determined that the safety-related nature of these frequencies warranted maintaining exclusive frequency coordination for frequencies that previously were available solely for the service-specific functions.[71] The Commission, however, has modified those rules in response to a consensus plan submitted by the FCC-certified PLMR frequency coordinators. Under our current rules, any applicant in the I/B Pool may submit its application to the coordinator of its choice for any channel that was previously shared with the former Power, Petroleum, and Railroad Radio Services.[72] However, the selected coordinator, as noted above, must determine whether the interference contour of a proposed facility overlaps the service

[64] Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Third Memorandum Opinion and Order*, PR Docket 92-235, 14 FCC Rcd 10922, 10930-1 ¶ 18 (1999).

[65] *See* Wireless Telecommunications Bureau Announces Commencement of an Audit of the Construction and Operational Status of Private Land Mobile Radio Stations, *Public Notice*, 16 FCC Rcd 14264 (WTB 2001).

[66] *Id.*

[67] Petition at 3 n.7.

[68] FCCA Comments at 3.

[69] *See* ¶ 12, *supra*.

[70] AASHTO Comments at 6; IAFC/IMSA Comments at 4 *citing* Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, *Second Memorandum Opinion and Order*, PR Docket 92-235, 14 FCC Rcd 8642, 8647-48 ¶ 9 (1999) (*Refarming Second MO&O*).

[71] *Refarming Second Report and Order*, 12 FCC Rcd at 14330 ¶ 42.

[72] *Id.*

contour(s) of any incumbent licensee operating on a frequency that previously was shared by eligibles in the former industry-specific radio service.[73] If there is contour overlap, then the coordinator may not forward the application to the FCC unless that coordinator obtains the written concurrence of the industry-specific coordinator(s) or the written concurrence of the affected licensee(s).[74] The Commission also required that parties seeking concurrence must advise the recipient of the request that the request must be acted upon within twenty days of receipt.[75] In this connection, the Commission encouraged coordinators to employ electronic exchange of messages where feasible.[76] If a concurrence request is denied, the underlying reasons for the denial must be provided in writing with sufficient documentation to support a determination that the frequency at issue may not be shared without a demonstrable material adverse effect on specific safety-related communications.[77] While the Commission recognized that differences of opinion regarding concurrence might arise, the Commission said that it expected such issues to be resolved cooperatively by the relevant coordinators.[78]

23. We seek comment on whether adopting a contour overlap approach to Public Safety Pool frequencies below 512 MHz would improve frequency coordination. In this connection, we ask commenters to address APCO's arguments that exclusive coordination rules and policies in the I/B Pool are designed to protect the highly specific, safety-related frequency requirements of power, petroleum, and railroad licensees within the extremely diverse (and generally not safety-related) I/B Pool which APCO believes differentiates that situation from the Public Safety Pool.[79] Commenters should also address IAFC/IMSA's contention that the contour overlap approach likely would require the involvement of the service-specific coordinators in virtually every coordination action in all metropolitan areas.[80] Given decades of use of the VHF and UHF channels, IAFC/IMSA contends, it will be difficult – if not impossible – to find channels not currently assigned and in use.[81] Commenters should address whether the concurrence process adopted by the Commission for the I/B Pool would protect state-wide VHF mobile systems or mobile-only or itinerant use channels, and what, if any, changes should be made to the contour analysis approach should we apply it to Public Safety Pool frequencies below 470 MHz.[82] If we were to adopt a contour analysis approach in the Public Safety Pool below 470 MHz, we ask commenters

[73] *Id.* We also required that adjacent channel interference be taken into account for determining when concurrence is required. *Id.*

[74] The Bureau has accepted and approved the consensus analytical method for determining frequency coordination requirements for applications in the 150-470 MHz band. Wireless Telecommunications Bureau Accepts and Approves Consensus Analytical Method for Determining Additional Frequency Coordination Requirements for Certain Private Land Mobile 150-470 MHz Applications, *Public Notice*, DA 02-1319 (WTB 2002). The method of contour analysis and adjacent channel service/interference contour values was left to the discretion of the frequency coordinators. We required that all certified frequency coordinators reach a consensus on a common analytical method and notify the Wireless Telecommunications Bureau within six months of the release of the *Refarming Fifth Memorandum Opinion and Order*.

[75] *Id.*

[76] *Id.*

[77] *Id.*

[78] *Id.* (*e.g.*, by using engineering solutions to eliminate or minimize harmful interference). When such difference are not cooperatively resolved, we said that such matters may be referred to the Wireless Telecommunications Bureau. *Id.*

[79] Reply at 3.

[80] IAFC/IMSA Comments at 5 n.4.

[81] *Id.*

[82] *Id.* Such as those used in the Fire Service for fire-ground communications, since there may be no base or fixed station from which to calculate an interference contour.

to address whether any of our frequency coordination rules, frequency assignment limitations, or other policies that govern the assignment of these frequencies need be retained, changed, or eliminated.

3. Notifications and Integrated Coordinator Database

24. If we were to amend Section 90.20 of the Commission's Rules as proposed by APCO, concurrence from the applicable frequency coordinators would no longer be required.[83] Similarly if we were to adopt a contour overlap analysis, concurrence from the applicable coordinator would, in certain instances, no longer be required.[84] Rather, public safety frequency coordinators would be required to adopt a system for information exchange to ensure that applications, once submitted, are not in conflict with other applications being submitted simultaneously or concurrently.[85] Consistent with the Commission's approach in the *Reframing Second Report and Order* and the *700 MHz Report and Order* we believe that the issue of whether to use a real-time common database should be left to the coordinators' discretion.[86] We nonetheless note that several of the public safety frequency coordinators share data through the same third-party database,[87] that the public safety coordinators are in the process of developing a common pre-coordination database for the 700 MHz band regional planning process,[88] and that all public safety coordinators are required to develop a notification system for the 800 MHz band.[89] As a result, we believe that the coordinators could use those databases or choose a different method of sharing pertinent data if competitive frequency coordination was permitted for the Public Safety Pool below 470 MHz.

25. With respect to a notification requirement, if we were to allow competitive frequency coordination, we propose that coordinators be required to provide notification of all frequency recommendations for Public Safety Pool frequencies below 470 MHz to every certified public safety coordinator *within one business day* of making such recommendations. We believe this notification requirement, which has been adopted for the former Local Government Radio Service frequencies, 700 MHz public safety frequencies, and the 800 MHz band public safety frequencies, will improve the speed and quality of recommendations.[90] In the interests of efficiency and fairness, notification must be made to all public safety coordinators at approximately the same time.[91] To encourage and facilitate the cooperation between public safety coordinators, we propose requiring that each coordinator communicate at least once each business day with each other public safety coordinator.[92] Even on days when there are no coordinations, communication between coordinators would be required.[93]

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[83] *See* n. 27 *supra*.

[84] *See* ¶ 22 *infra*.

[85] *Reframing Second Report and Order*, 12 FCC Rcd at 14332 ¶ 46; *700 MHz First Report and Order*, 14 FCC Rcd at 201 ¶ 100; *800 MHz Order*, 16 FCC Rcd at 14543-4 ¶¶ 19-20.

[86] *Reframing Second Report and Order*, 12 FCC Rcd at 14332 ¶ 46; *700 MHz First Report and Order*, 14 FCC Rcd at 201 ¶ 100; *800 MHz Order*, 16 FCC Rcd at 14543-4 ¶ 20.

[87] *Reframing Second Report and Order*, 12 FCC Rcd at 14332 ¶ 46.

[88] *700 MHz First Report and Order*, 14 FCC Rcd at 201 ¶ 100.

[89] *800 MHz Order*, 16 FCC Rcd at 14544 ¶ 21.

[90] *Reframing Second Report and Order*, 12 FCC Rcd at 14333-5; *700 MHz First Report and Order*, 14 FCC Rcd at 201 ¶ 100; *800 MHz Order*, 16 FCC Rcd at 14544 ¶ 21.

[91] 47 C.F.R. § 90.176. *See Reframing Second Report and Order*, 12 FCC Rcd at 14333 ¶ 47.

[92] *Id.*

[93] *Id.*

26. We propose that each notification, at a minimum, include the following: (a) name of applicant, (b) frequency or frequencies recommended, (c) antenna height, (d) antenna location(s), (e) type of emissions, (f) effective radiated power, (g) a description of the service area, and (h) the time the recommendation was made.[94] We tentatively conclude that the implementation details of providing notification should be left to each coordinator's discretion.[95] For example, coordinators may choose to notify each other coordinator every time a recommendation is made, each time a certain number of recommendations is made, or they can send a notification containing all recommendations at the close of each business day.[96] Also, rather than requiring coordinators to routinely include all information on proposed systems, we propose that coordinators provide this additional information only upon request. Therefore, each coordinator would have to furnish, upon request, within one business day, any additional information requested regarding a pending coordination that it processed.[97]

27. We seek comment on these proposals. Commenters should address whether this notification procedure could help ensure consistency with state, local, and regional public safety plans.[98] We also seek comment on whether an automated, common database of public safety plans could help ensure that coordinators follow the relevant plans.[99] APCO contends that its database could accommodate public safety plans to ensure that all four coordinators follow the relevant plan and avoid conflicts between applications.[100] APCO also notes that the Public Safety Communications Council (PSCC), which includes the four coordinators as members, is exploring options for the maintenance of such a planning database in the 700 MHz band.[101] APCO notes that public safety plans can be made available by coordinators.[102] Additionally, we note that our rules indicate that certain frequencies are subject to public safety plans.[103] We seek comment on whether all public safety plans, taken together, could serve as a common, albeit manual, database of plans that will be readily available for frequency coordination purposes.[104] If so, we ask whether each coordinator could then analyze this data manually or develop an automated form.[105] We seek comment on APCO's description of PSCC's efforts, and whether the certified coordinators can also jointly develop a common, automated database, assuming the four coordinators reach a consensus.[106] In addition, we request that commenters address whether any of our

[94] *Id.*

[95] For example, coordinators may use e-mail or facsimile for notification purposes.

[96] *Refarming Second Report and Order*, 12 FCC Rcd at 14334 n.128.

[97] *Id.* at 14334 ¶ 49.

[98] We consider the question of competitive coordinator adherence to spectrum recommendation parameters of current incumbent sole coordinators that are not set forth in the rules to be a separate issue, addressed at paragraph 18 *infra*.

[99] APCO Reply at 5. *See, e.g., 700 MHz MO&O*, 15 FCC Rcd at 16881-82 ¶ 80.

[100] APCO Reply at 5.

[101] APCO Petition at 4. *See, e.g, 700 MHz MO&O*, 15 FCC Rcd at 16881-82 ¶ 80.

[102] APCO Petition at 4. Similarly the Commission has declined to adopt a Common Database of Regional Plans because regional plans were publicly available for frequency coordination purposes and coordinators could develop their own database. *See, e.g., 700 MHz Second MO&O*, 15 FCC Rcd at 16881-82 ¶ 80.

[103] *See, e.g.*, 47 C.F.R. § 90.20(d)(2), (8), (21); AASHTO Comments at 3.

[104] *See, e.g., 700 MHz Second MO&O*, 15 FCC Rcd at 16881-82 ¶ 80.

[105] *Id.*

[106] *Id.*

frequency coordination rules[107] or frequency limitations[108] that govern Public Safety Pool frequencies below 512 MHz need to be retained, changed, or eliminated in connection with this proposal.[109]

B. Retention of Exclusive Frequency Coordination

28. AASHTO, FCCA, IAFC/IMSA, and Com-Net Ericsson all oppose APCO's proposal and urge that we make no change to our frequency coordination rules. These commenters argue that opening up all Public Safety Pool frequencies below 470 MHz would impair the protection of critical public safety systems.[110] They also argue that in general, frequency coordinators are not familiar with the public safety plans that form the basis for communications systems on these frequencies.[111] The commenters opposing APCO's Petition question the representativeness of other coordinators with respect to their specific constituencies.[112] These commenters suggest that the former service specific public safety radio services are distinct from public safety frequencies subject to competitive coordination because the former were primarily designated for certain discrete public safety uses whereas the latter were available to public safety users as a whole.[113]

29. We recognize that improper frequency coordination could lead to disruption of vital public safety communications.[114] On the other hand, we note that competitive coordination has been successful on other public safety frequencies without disrupting public safety communications. We agree with the commenters that if we introduce competitive coordination, the four public safety coordinators would have to become knowledgeable about public safety plans and must not make recommendations without determining whether recommending a particular frequency is consistent with a relevant plan.[115] Accordingly, we seek comment on any negative impact that the introduction of competitive coordination might have on the reliability of public safety communications, and we urge those commenters to be as specific as possible in identifying any such harms. We seek comment on whether any differences between these frequencies and the former Local Government Radio Service, 700 MHz, and 800 MHz public safety frequencies justify retaining exclusive coordination for these frequencies. We seek specific

[107] *See, e.g.*, 47 C.F.R. § 90.175.

[108] 47 C.F.R. §§ 90.20(d)(1-79).

[109] *See, e.g.*, 47 C.F.R. §§ 90.20(d)(6), (16), (21), (23), (25), (41), (43), (49), (52), (65), (66), (76). In this connection we note that we eliminated frequency limitation (43) to permit all public safety eligibles to use 30 frequencies in the 150-174 MHz Public Safety Pool that were previously limited to highway maintenance users other than States. *See* 1998 Biennial Regulatory Review -- 47 C.F.R. Part 90 - Private Land Mobile Radio Services WT Docket No. 98-182, RM-9222, Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services, *Memorandum Opinion and Order and Second Report and Order*, 17 FCC Rcd 9830, 9857 ¶ 54 (2002).

[110] AASHTO Comments at 7, FCCA Comments at 3-4, IAFC/IMSA Comments at 6-7.

[111] IAFC/IMSA Comments at 6, FCCA at 3, AASHTO Comments at 6, Com-Net Comments at 3.

[112] AASHTO Comments at 3-6, FCCA Comments at 2-3, IAFC/IMSA Comments at 6-9, Com-Net Comments at 2-3.

[113] AASHTO Comments at 6; FCCA Comments at 3; IAFC/IMSA Comments at 6; Com-Net Comments at 2.

[114] *See, e.g.*, Association of Public Safety Communications Officials International, Inc., and Forestry Conservation Communications Association, Request to Set Aside or Revoke the Grant of the License of Chandler Fire Department for Station WPQB602, Chandler, Oklahoma, *Memorandum Opinion and Order*, 16 FCC Rcd 14926 (WTB PSPWD 2001) (improper coordination of application by Chandler Fire Department leads to harmful interference to the State of Oklahoma's wide-area forest fire suppression operations).

[115] This requirement applies to public safety coordinators for frequencies below 512 MHz band, 700 MHz band, and 800 MHz band. *Refarming Second Report and Order*, 12 FCC Rcd at 14328 n. 96; *700 MHz Second MO&O*; 15 FCC Rcd at 16881-82 ¶¶ 80-1; *800 MHz Order*, 16 FCC Rcd at 14543 ¶ 19. AASHTO Comments at 6, FCCA Comments at 3, IAFC/IMSA Comments at 6, Com-Net Comments at 1-2.

comment on whether incumbent sole coordinators have employed individualized spectrum recommendation parameters when coordinating, whether competitive coordinators would adhere to any such parameters, and, if not, whether non-adherence would be disruptive to public safety communications.[116] In this connection, we urge APCO and other commenters supporting competitive frequency coordination to identify specific steps that can be taken to ensure that competitive frequency coordination would not have any negative impact upon the reliability of public safety communications. Finally, we ask commenters to describe other alternatives, if any, that can be pursued to improve upon the frequency coordination procedures and process applicable to the Public Safety Pool.

IV. CONCLUSION

30. After careful consideration of the information before us, we grant APCO's Petition and seek comment on introducing competitive coordination for the public safety frequencies below 470 MHz. In addition, Appendix B sets forth the rule changes we believe would be appropriate if we were to adopt any of the options discussed above. We invite comment on these matters and the potential rule changes that are appended hereto. Commenters are also invited to offer proposals in addition to the three identified above.

V. PROCEDURAL MATTERS

A. Ex Parte Rules – Permit-but-Disclose Proceeding

31. This is a permit-but-disclose notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, if they are disclosed as provided in the Commission's Rules. See generally 47 C.F.R. §§ 1.1200(a), 1.1203, and 1.1206.

B. Initial Regulatory Flexibility Analysis

32. As required by Section 603 of the regulatory Flexibility Act, 5 U.S.C. § 603, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in Appendix A. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments filed in this Notice of Proposed Rulemaking ("*Notice*"), but they must have a separate and distinct heading designating them as responses to the IRFA. The Commission's Consumer Information Bureau, Reference Information Center, SHALL SEND a copy of this *Notice*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. § 603(a).

C. Initial Paperwork Reduction Analysis

33. This Notice contains a proposed information collection. As part of its continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this *Notice*, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Public and agency comments are due at the same time as other comments on this *Notice*; OMB comments are due 60 days from the date of publication of this *Notice* in the Federal Register. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d)

[116] The parameters we refer to in this context are not the state, local, or regional plans referenced in paragraph 18, *infra*, but rather parameters to assure compatible recommendations on particular spectrum in particular geographic areas.

ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

D. Alternative Formats

34. Alternative formats (computer diskette, large print, audio cassette and Braille) are available from Brian Millin at (202) 418-7426, TTY (202) 418-7365, or at bmillin@fcc.gov. This *Notice* can also be downloaded at http://www.fcc.gov.

E. Pleading Dates

35. Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before [**30 days from date of publication in the Federal Register**], and reply comments on or before [**45 days from date of publication in the Federal Register**]. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

36. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

37. Written comments by the public on the proposed information collections are due on or before [**30 days from date of publication in the Federal Register**]. Written comments must be submitted by the OMB on the proposed information collections on or before 60 days after date of publication in the Federal Register. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, S.W., Washington, D.C. 20554, or via the Internet to jboley@fcc.gov and to Kim Johnson, OMB Desk Officer, 10236 NEOP, 725 17th Street, N.W., Washington, D.C. 20503, or via the Internet Kim_A._Johnson@omb.eop.gov.

F. Contact Information

38. For further information, contact John Evanoff, Esquire, at (202) 418-0848, jevanoff@fcc.gov, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

VI. ORDERING CLAUSES

39. Accordingly, IT IS ORDERED that, pursuant to Sections 1, 4(j), 302, 303(f) and (r), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 1, 154(j), 302, 303(f) and (r), 332, the Petition for Rulemaking filed by the Association of Public Safety Communications Officials, International, Inc., on February 21, 2001, IS GRANTED to the extent indicated herein.

40. IT IS FURTHER ORDERED that, pursuant to Sections 1, 4(j), 302, 303(f) and (r), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 1, 154(j), 302, 303(f) and(r), 332, NOTICE IS HEREBY GIVEN of the proposed regulatory changes described in this Notice of Proposed Rulemaking, and that COMMENT IS SOUGHT on these proposals.

41. IT IS FURTHER ORDERED that the Commission's Consumer Information Bureau, Reference Information Center, SHALL SEND a copy of this Notice of Proposed Rulemaking, RM-10077, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act.[117]

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

[117] Pub. L. No. 96-354, 94 Stat. 1165, 5 U.S.C. §§ 601-612 (1980).

APPENDIX A
Initial Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act (RFA),[118] the Commission has prepared this present Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in this Notice of Proposed Rule Making (*Notice*). Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on this *Notice* provided above in paragraph 35, *infra*. The Commission will send a copy of the *Notice*, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.[119] In addition, the *Notice* and IRFA (or summaries thereof) will be published in the Federal Register.[120]

A. Need for, and Objectives of, the Proposed Rules:

The Commission has stated that it would revisit competitive coordination in the PLMR public safety frequencies below-470 MHz. On February 21, 2001, the Association of Public Safety Communications Officials, International, Inc. (APCO) filed a petition for rulemaking recommending that the Commission introduce competitive coordination. Because the APCO Petition required changes to the Commission's Rules, APCO asks the Commission to adopt these rule changes. Presently, certain below-470 MHz frequencies are coordinated by designated frequency coordinators. APCO believes these proposed rule changes are needed in order to reduce cost and delays in processing applications for public safety frequencies in the below-470 MHz band. Because of the continuing need for public safety spectrum, APCO believes that implementation of the rule changes proposed in its Petition is in the public interest. Therefore, the Commission seeks comment on whether to amend Part 90 of its rules in order to effectuate the changes suggested in the Petition.

Commenters disagree with the Petition and urge the Commission to maintain the current coordination processes, or consider alternatives to the existing coordination processes. Commenters contend that the APCO proposal would undermine public safety communications if implemented. Because of the need to improve efficiency in the licensing of public safety spectrum and the need to protect public safety communications, commenters suggest that the Commission should seek comment on maintaining the existing system or examine alternatives to the rule changes proposed in the Petition. With regard to alternatives commenters suggest the Commission consider whether a contour overlap analysis would be appropriate in the Public Safety Pool below-470 MHz. Therefore, the Commission seeks comment on whether to maintain or amend Part 90 of its rules in order to retain the current processes as suggested in the comments or effectuate the changes suggested in the comments.

B. Legal Basis:

Authority for the proposed rules included in this issuance of this Notice is contained in Sections 1, 4(i), 302, 303(f), and (r), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 1, 154(i), 302, 303(f) and (r), and 332.

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[118] *See* 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. S 601 *et. seq.*, has been amended by the Contract With America Advancement Act of 1996, Pub. L. No. 104-121, 110 Stat. 847 (1996) (CWAAA). Title II of the CWAAA is the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).

[119] *See* 5 U.S.C. § 603(a).

[120] *See id.*

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply:

The RFA directs agencies to provide a description of, and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted.[121] The RFA defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small business concern" under section 3 of the Small Business Act.[122] A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.[123] Nationwide, as of 1992, there were approximately 275,801 small organizations.[124] "Small governmental jurisdiction" generally means "governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than 50,000."[125] As of 1992, there were approximately 85,006 such jurisdictions in the United States.[126] This number includes 38,978 counties, cities, and towns; of these, 37,566, or ninety-six percent, have populations of fewer than 50,000.[127] The Census Bureau estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, we estimate that 81,600 (ninety-one percent) are small entities. Below, we further describe and estimate the number of small entity licensees and regulatees that may be affected by the proposed rules, if adopted.

Public Safety Pool and Governmental entities. As a general matter, Public Safety Radio Pool licensees include police, fire, local government, forestry conservation, highway maintenance, and emergency medical services.[128] The SBA rules contain a definition for small radiotelephone (wireless) companies, which encompasses business entities engaged in radiotelephone communications employing no more that 1,500 persons.[129] There are a total of approximately 127,540 licensees within these services. Governmental entities as well as private businesses comprise the licensees for these services. The RFA also includes small governmental entities as a part of the regulatory flexibility analysis.[130] "Small

[121] 5 U.S.C. § 603(b)(3).

[122] 5 U.S.C. § 601(3).

[123] 5 U.S.C. § 632.

[124] 1992 Economic Census, U.S. Bureau of the Census, Table 6 (special tabulation of data under contract to the Office of Advocacy of the Small Business Administration).

[125] 5 U.S.C. § 601(5).

[126] U.S. Dep't of Commerce, Bureau of the Census, 1992 Census of Governments.

[127] *Id.*

[128] *See* subparts A and B of Part 90 of the Commission's Rules, 47 C.F.R. §§ 90.1-90.22. Police licensees include 26,608 licensees that serve state, county, and municipal enforcement through telephony (voice), telegraphy (code), and teletype and facsimile (printed material). Fire licensees include 22,677 licensees comprised of private volunteer or professional fire companies, as well as units under governmental control. Public Safety Radio Pool licensees also include 40,512 licensees that are state, county, or municipal entities that use radio for official purposes. There are also 7,325 forestry service licensees comprised of licensees from state departments of conservation and private forest organizations that set up communications networks among fire lookout towers and ground crews. The 9,480 state and local governments are highway maintenance licensees that provide emergency and routine communications to aid other public safety services to keep main roads safe for vehicular traffic. Emergency medical licensees (1,460) use these channels for emergency medical service communications related to the delivery of emergency medical treatment. Another 19,478 licensees include medical services, rescue organizations, veterinarians, handicapped persons, disaster relief organizations, school buses, beach patrols, establishments in isolated areas, communications standby facilities, and emergency repair of public communications facilities.

[129] *See* 13 C.F.R. §121.201 (SIC Code 4812).

[130] *See* 5 U.S.C. § 601(5) (including cities, counties, towns, townships, villages, school districts, or special districts).

governmental jurisdiction" generally means "governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than 50,000."[131] As of 1992, there were approximately 85,006 such jurisdictions in the United States.[132] This number includes 38,978 counties, cities and towns; of these, 37,566, or 96 percent, have populations of fewer than 50,000.[133] The Census Bureau estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, the Commission estimates that 81,600 (91 percent) are small entities.

Estimates for PLMR Licensees. Private land mobile radio systems serve an essential role in a vast range of industrial, business, land transportation, and public safety activities. These radios are used by companies of all sizes operating in all U.S. business categories. Because of the vast array of PLMR users, the Commission has not developed a definition of small entities specifically applicable to PLMR users, nor has the SBA developed any such definition. The SBA rules do, however, contain a definition for small radiotelephone (wireless) companies.[134] Included in this definition are business entities engaged in radiotelephone communications employing no more that 1,500 persons.[135] According to the Bureau of the Census, only twelve radiotelephone firms, out of a total of 1,178 such firms that operated during 1992, had 1,000 or more employees. For the purpose of determining whether a licensee is a small business as defined by the SBA, each licensee would need to be evaluated within its own business area. The Commission's fiscal year 1994 annual report indicates that, at the end of fiscal year 1994, there were 1,101,711 licensees operating 12,882,623 transmitters in the PLMR bands below 512 MHz.[136]

Estimates for Frequency Coordinators. Neither the Commission nor the SBA has developed a definition of small entities specifically applicable to spectrum frequency coordinators. Therefore the Commission concluded that the closest applicable definition under SBA rules is Business Associations (SIC 8611).[137] The SBA defines a small business association as an entity with $5 million or less in annual receipts. There are 18 entities certified to perform frequency coordination functions under Part 90 of our Rules. However, the Commission is unable to ascertain how many of these frequency coordinators are classified as small entities under the SBA definition. The Census Bureau indicates that 97% of business associations have annual receipts of $4.999 million or less and would be classified as small entities. The Census Bureau category is very broad and does not include specific figures for firms that are engaged in frequency coordination. Therefore, for the purposes of this IRFA, the Commission estimates that almost all of the 18 spectrum frequency coordinators are small as defined by the SBA.

D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements:

As part of our consideration of whether to introduce competitive coordination in the below-470 MHz public safety band, thereby reducing application processing costs and delays, we continue to believe that each public safety frequency coordinator that chooses to recommend below-470 MHz Public Safety frequencies must be knowledgeable about public safety plans. In this connection we seek comment on whether to require certified public safety coordinators to adopt a system for information exchange to ensure that applications, once submitted, are not in conflict with relevant public safety plans or other

[131] *Id.*

[132] U.S. Dept. of Commerce, Bureau of the Census, "1992 Census of Governments."

[133] *Id.*

[134] *See* 13 C.F.R. §121.201 (SIC Code 4812) (NAICS Code 51322).

[135] *Id.*

[136] *See* Federal Communications Commission, 60th Annual Report, Fiscal Year 1994 at 120-121.

[137] *See Refarming Second Report and Order*, 12 FCC Rcd at 14355.

applications being submitted simultaneously or concurrently. In this connection, we will leave the issue of whether to use a real-time common database to the coordinators' discretion.

We seek comment on whether to require that coordinators provide notification of all frequency recommendations for Public Safety below-470 MHz frequencies to every certified in-pool coordinator that is also certified to coordinate that frequency *within one business day* of making such recommendations. This notification requirement, we believe, could improve the speed and quality of recommendations. In the interests of efficiency and fairness, notification must be made to all in-pool coordinators at approximately the same time. To encourage and facilitate the cooperation between in-pool coordinators, we propose to require that each coordinator communicate at least once each business day with each other in-pool coordinator. Even on days when there are no coordinations, communication between coordinators would be required.

We seek comment on whether to maintain the existing concurrence mechanism for frequency recommendations for Public Safety below-470 MHz frequencies. Presently, coordinators are required to obtain the concurrence of certain coordinators when coordinating certain below-470 MHz public safety frequencies. This requirement, we believe, could continue to ensure that frequency coordination recommendations are consistent with existing public safety plans.

We seek comment on whether to amend the existing concurrence procedure by requiring coordinators to conduct a contour overlap analysis. Presently, coordinators in the Industrial/Business Pool are required to determine whether concurrence from a designated frequency coordinator or an affected licensee is required before coordinating certain frequencies. This requirement could continue to ensure that frequency coordination recommendations are consistent with existing public safety plans while improving efficiency in the licensing of public safety spectrum below-470 MHz.

E. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered:

The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives: (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule or any part thereof for small entities.

Presently, the majority of below-470 MHz frequencies are coordinated by designated frequency coordinators. Any of the four certified public safety coordinators, however, may coordinate frequencies designated for frequency coordination by a specific frequency coordinator. Under such circumstances, a frequency coordinator must obtain the consent of the designated frequency coordinator prior to coordinating an application. While this consent requirement may delay application processing and increase application costs it may also ensure that frequency recommendation are consistent with relevant public safety plans. We seek comment on whether maintaining the existing concurrence requirement would affect small entities.

As part of our consideration of whether to introduce competitive coordination in the below 470 MHz public safety band, each public safety frequency coordinator that chooses to recommend below 470 MHz Public Safety frequencies may be required to provide notification of all frequency recommendations for Public Safety below 470 MHz frequencies. We believe that the proposed notification system could minimize the economic impact on small entities by reducing application processing delays and costs, however, commenters believe that the notification system could impair public safety systems. We also believe that the suggested contour overlap analysis could reduce application processing costs and delays

while ensuring applications are filed consistent with relevant public safety plans. We seek comment on how the changes proposed and alternatives suggested in the *Notice* would affect small entities. The proposal contained herein has been analyzed with respect to the Paper Reduction Act of 1980 and found to contain a proposed information collection that will not increase or decrease burden hours imposed on the public. We seek comment on how the proposed information collection contained herein will affect the public.

F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules:

None.

APPENDIX B

POTENTIAL RULE CHANGES

42. If we were to expand competitive coordination in the Public Safety Pool below-470 MHz then Section 90.20 would be amended by revising paragraph (c)(3) to read as follows:

§ 90.20 Public Safety Pool

* * * * *

(c) * * *

(3) * * *

PUBLIC SAFETY POOL FREQUENCY TABLE

Frequency or band	Class of station(s)	Limitations	Coordinator
Kilohertz:			
530		1	PX
1610	Base (T.I.S.)	1	PX
1630	Base or mobile		PF
1722	do	2, 3	PP
1730	do	2, 3	PP
2212	do	4	PO
2226	do	4	PO
2236	do	4	PO
2244	do	4	PO
2366	do	2, 4	PP
2382	do	2	PP
2390	do	2, 4	PP
2406	do	2	PP
2430	do	2	PP
2442	do	2	PP
2450	do	2	PP
2458	do	2	PP
2482	do	2	PP
2490	do	2, 3	PP
2726	do	5	PX, PS
3201	do		PS
2000 to 3000	Fixed	75	PS
2000 to 10,000	Fixed, base, or mobile...	6	PX
Megahertz:			
30.86	Base or mobile	7	PX
30.90	do	7	PX
30.94	do	7	PX
30.98	do	7	PX

31.02	.....do	7	PX
31.06	.....do	7, 8, 9	PX
31.10	.....do	7, 8, 9	PX
31.14	.....do	7, 8, 9	PX
31.18	.....do	8, 9	PX
31.22	.....do	8, 9	PX
31.26	.....do	8, 9	PX
31.30	.....do	8, 9	PX
31.34	.....do	8, 9	PX
31.38	.....do	8, 9	PX
31.42	.....do	8, 9	PX
31.46	.....do	8, 9	PX
31.50	.....do	8, 9	PX
31.54	.....do	8, 9	PX
31.58	.....do	8, 9	PX
31.62	.....do	8, 9	PX
31.66	.....do	8, 9	PX
31.70	.....do	8, 9	PX
31.74	.....do	8, 9	PX
31.78	.....do	8, 9	PX
31.82	.....do	8, 9	PX
31.86	.....do	8, 9	PX
31.90	.....do	8, 9	PX
31.94	.....do	8, 9	PX
31.98	.....do	8, 9	PX
33.02	.....do	10	PX, PS
33.04	.....do	.....	PS
33.06	.....do	10	PX, PS
33.08	.....do	.....	PS
33.10	.....do	10	PX, PS
33.42	Mobile or fixed	11	PX
33.44	Base or mobile	.....	PX
33.46	Mobile	.....	PX
33.48	Base or mobile	.....	PX
33.50	Mobile	.....	PX
33.52	Base or mobile	.....	PX
33.54	Mobile	.....	PX
33.56	Base or mobile	.....	PX
33.58	Mobile	.....	PX
33.60	Base or mobile	.....	PX
33.62	Mobile	.....	PX
33.64	Base or mobile	.....	PX
33.66	Mobile	.....	PX
33.68	Base or mobile	.....	PX
33.70	.....do	.....	PX
33.72	.....do	.....	PX
33.74	.....do	.....	PX
33.76	.....do	.....	PX
33.78	.....do	.....	PX
33.80	.....do	.....	PX

33.82	.....do.....	.....	PX
33.84	.....do	.....	PX
33.86	.....do	.....	PX
33.88	.....do	.....	PX
33.90	.....do	.....	PX
33.92	.....do	.....	PX
33.94	.....do	.....	PX
33.96	.....do	.....	PX
33.98	.....do	.....	PX
35.02	Mobile	12, 77	PS
35.64	Base	13	PS
35.68	.....do	13	PS
37.02	Mobile	.....	PX
37.04	Base or mobile.....	.....	PX
37.06	.....do	.....	PX
37.08	.....do	.....	PX
37.10	.....do	.....	PX
37.12	.....do	.....	PX
37.14	.....do	.....	PX
37.16	.....do	.....	PX
37.18	.....do	.....	PX
37.20	.....do.....	.....	PX
37.22	.....do	.....	PX
37.24	.....do	.....	PX
37.26	.....do	.....	PX
37.28	.....do	.....	PX
37.30	.....do	.....	PX
37.32	.....do	.....	PX
37.34	Mobile	.....	PX
37.36	Base or mobile	.....	PX
37.38	Mobile	.....	PX
37.40	Base or mobile	.....	PX
37.42	Mobile	.....	PX
37.90	Base or mobile	10	PX, PS
37.92	.....do	.....	PX
37.94	.....do	10	PX, PS
37.96	.....do	.....	PX
37.98	.....do	10	PX, PS
39.02	.....do	.....	PX
39.04	.....do	.....	PX
39.06	.....do	14	PX
39.08	.....do	.....	PX
39.10	.....do	.....	PX
39.12	.....do	.....	PX
39.14	.....do	.....	PX
39.16	.....do	.....	PX
39.18	.....do	.....	PX
39.20	.....do	.....	PX
39.22	.....do	.....	PX
39.24	.....do	.....	PX

39.26	Mobile		PX
39.28	Base or mobile		PX
39.30	Mobile		PX
39.32	Base or mobile		PX
39.34	Mobile		PX
39.36	Base or mobile		PX
39.38	Mobile		PX
39.40	Base or mobile		PX
39.42	do		PX
39.44	do		PX
39.46	do	15	PX
39.48	do		PX
39.50	do		PX
39.52	do		PX
39.54	do		PX
39.56	do		PX
39.58	do		PX
39.60	do		PX
39.62	do		PX
39.64	do		PX
39.66	Mobile		PX
39.68	Base or mobile		PX
39.70	Mobile		PX
39.72	Base or mobile		PX
39.74	Mobile		PX
39.76	Base or mobile		PX
39.78	Mobile		PX
39.80	Base or mobile		PX
39.82	do		PX
39.84	do		PX
39.86	do		PX
39.88	do		PX
39.90	do		PX
39.92	do		PX
39.94	do		PX
39.96	do		PX
39.98	do		PX
42.02	do	2, 3, 16	PX
42.04	do	2, 3, 16	PX
42.06	do	2, 3, 16	PX
42.08	do	2, 3, 16	PX
42.10	do	2, 3, 16	PX
42.12	do	2, 3, 16	PX
42.14	do	2, 3, 16	PX
42.16	do	2, 3, 16	PX
42.18	Mobile	2, 16	PX
42.20	do	2, 16	PX
42.22	do	2, 16	PX
42.24	do	2, 16	PX
42.26	do	2, 16	PX

42.28	.....do	2, 16	PX
42.30	.....do	2, 16	PX
42.32	Base or mobile	2, 3, 16	PX
42.34	.....do	2, 3, 16	PX
42.36	.....do	2, 3, 16	PX
42.38	.....do	2, 3, 16	PX
42.40	.....do	2, 3, 16, 27	PX
42.42	.....do	2, 3, 16	PX
42.44	.....do	2, 3, 16	PX
42.46	.....do	2, 3, 16	PX
42.48	.....do	2, 3, 16	PX
42.50	.....do	2, 3, 16	PX
42.52	.....do	2, 3, 16	PX
42.54	.....do	2, 3, 16	PX
42.56	.....do	2, 3, 16	PX
42.58	.....do	2, 3, 16	PX
42.60	.....do	2, 3, 16	PX
42.62	.....do	2, 3, 16	PX
42.64	.....do	2, 3, 16	PX
42.66	Mobile	2, 16	PX
42.68	.....do	2, 16	PX
42.70	.....do	2, 16	PX
42.72	.....do	2, 16	PX
42.74	.....do	2, 16	PX
42.76	.....do	2, 16	PX
42.78	.....do	2, 16	PX
42.80	Base or mobile	13	PX
42.82	.....do	2, 3, 16	PX
42.84	.....do	2, 3, 16	PX
42.86	.....do	2, 3, 16	PX
42.88	.....do	2, 3, 16	PX
42.90	.....do	2, 3, 16	PX
42.92	.....do	2, 3, 16	PX
42.94	.....do	2, 3, 16	PX
43.64	Base	13, 18	PS
43.68	.....do	13	PS
44.62	Base or mobile	2, 3, 16	PX
44.64	.....do		PX
44.66	.....do	2, 3, 16	PX
44.68	.....do		PX
44.70	.....do	2, 3, 16	PX
44.72	.....do		PX
44.74	.....do	2, 3, 16	PX
44.76	.....do		PX
44.78	Mobile	2, 16	PX
44.80	Base or mobile		PX
44.82	Mobile	2, 16	PX
44.84	Base or mobile		PX
44.86	Mobile	2, 16	PX
44.88	Base or mobile		PX

44.90	Mobile	2, 16	PX
44.92	Base or mobile		PX
44.94	do	2, 3, 16	PX
44.96	do		PX
44.98	do	2, 3, 16	PX
45.00	do		PX
45.02	do	2, 3, 16	PX
45.04	do		PX
45.06	do	2, 3, 16	PX
45.08	do		PX
45.10	do		PX
45.12	do		PX
45.14	do		PX
45.16	do		PX
45.18	do		PX
45.20	do		PX
45.22	do		PX
45.24	do		PX
45.26	Mobile		PX
45.28	Base or mobile		PX
45.30	Mobile		PX
45.32	Base or mobile		PX
45.34	Mobile		PX
45.36	Base or mobile		PX
45.38	Mobile		PX
45.40	Base or mobile		PX
45.42	do		PX
45.44	do		PX
45.46	do		PX
45.48	do		PX
45.50	do		PX
45.52	do		PX
45.54	do		PX
45.56	do		PX
45.58	do		PX
45.60	do		PX
45.62	do		PX
45.64	do		PX
45.66	do		PX
45.68	do		PX
45.70	do		PX
45.72	do		PX
45.74	Mobile		PX
45.76	Base or mobile		PX
45.78	Mobile		PX
45.80	Base or mobile		PX
45.82	Mobile		PX
45.84	Base or mobile		PX
45.86	do	15	PX
45.88	do	19	PX

45.90	.....do	20	PX
45.92	.....do	10	PS
45.94	.....do		PX
45.96	.....do	10	PS
45.98	.....do		PX
46.00	.....do	10	PS
46.02	.....do		PX
46.04	.....do	10	PS
46.06	.....do		PX
46.08	.....do		PX
46.10	.....do		PX
46.12	.....do		PX
46.14	.....do		PX
46.16	.....do		PX
46.18	.....do		PX
46.20	.....do		PX
46.22	Mobile		PX
46.24	.....do		PX
46.26	.....do		PX
46.28	.....do		PX
46.30	Mobile or fixed	11	PX
46.32	Mobile		PX
46.34	.....do		PX
46.36	Base or mobile		PX
46.38	.....do		PX
46.40	.....do		PX
46.42	.....do		PX
46.44	.....do		PX
46.46	.....do		PX
46.48	.....do		PX
46.50	.....do		PX
46.52	.....do		PX
46.54	.....do		PX
46.56	.....do		PX
46.58	.....do		PX
47.02	.....do	21, 22	PX
47.04	.....do	21, 22	PX
47.06	.....do	21, 22	PX
47.08	.....do	21, 22	PX
47.10	.....do	21, 22	PX
47.12	.....do	21, 22	PX
47.14	.....do	21, 22	PX
47.16	.....do	21, 22	PX
47.18	.....do	21, 22	PX
47.20	.....do	21, 22	PX
47.22	.....do	21, 22	PX
47.24	.....do	21, 22	PX
47.26	.....do	21, 22	PX
47.28	.....do	21, 22	PX
47.30	.....do	21, 22	PX

47.32	.....do	21, 22	PX
47.34	.....do	21, 22	PX
47.36	.....do	21, 22	PX
47.38	.....do	21, 22	PX
47.40	.....do	21, 22	PX
47.42	.....do	10, 23	PS
47.46	.....do	10	PS
47.50	.....do	10	PS
47.54	.....do	10	PS
47.58	.....do	10	PS
47.62	.....do	10	PS
47.66	.....do	10	PS
72.00 to 76.00	Operational fixed	24	
72.44	Mobile	25	PX
72.48	.....do	25	PX
72.52	.....do	25	PX
72.56	.....do	25	PX
72.6	.....do	25	PX
75.44	.....do	25	PX
75.48	.....do	25	PX
75.52	.....do	25	PX
75.56	.....do	25	PX
75.6	.....do	25	PX
150 to 170	Base or mobile	26	
150.775	Mobile		PX
150.7825	.....do	27	PX
150.790	.....do		PX
150.7975	.....do		PX
150.805	.....do		PX
150.995	Base or mobile	28	PX
151.0025	.....do	27, 28	PX
151.010	.....do	28	PX
151.0175	.....do	27, 28	PX
151.025	.....do	28	PX
151.0325	.....do	27, 28	PX
151.040	.....do	28	PX
151.0475	.....do	27, 28	PX
151.055	.....do	28	PX
151.0625	.....do	27, 28	PX
151.070	.....do	28	PX
151.0775	.....do	27, 28	PX
151.085	.....do	28	PX
151.0925	.....do	27, 28	PX
151.100	.....do	28	PX
151.1075	.....do	27, 28	PX
151.115	.....do	28	PX
151.1225	.....do	27, 28	PX
151.130	.....do	28, 81	PX
151.1375	.....do	27, 28, 80	PX
151.145	.....do	28, 81	PX

151.1525	.....do	27, 28	PX
151.160	.....do	28	PX
151.1675	.....do	27, 28	PX
151.175	.....do	28	PX
151.1825	.....do	27, 28	PX
151.190	.....do	28	PX
151.1975	.....do	27, 28	PX
151.205	.....do	28	PX
151.2125	.....do	27, 28	PX
151.220	.....do	28	PX
151.2275	.....do	27, 28	PX
151.235	.....do	28	PX
151.2425	.....do	27, 28	PX
151.250	.....do	28	PX
151.2575	.....do	27, 28	PX
151.265	.....do	28	PX
151.2725	.....do	27, 28	PX
151.280	.....do	28	PX
151.2875	.....do	27, 28	PX
151.295	.....do	28	PX
151.3025	.....do	27, 28	PX
151.310	.....do	28	PX
151.3175	.....do	27, 28	PX
151.325	.....do	28	PX
151.3325	.....do	27, 28	PX
151.340	.....do	28	PX
151.3475	.....do	27, 28	PX
151.355	.....do	28	PX
151.3625	.....do	27, 28	PX
151.370	.....do	28	PX
151.3775	.....do	27, 28	PX
151.385	.....do	28	PX
151.3925	.....do	27, 28	PX
151.400	.....do	28	PX
151.4075	.....do	27, 28	PX
151.415	.....do	28	PX
151.4225	.....do	27, 28	PX
151.430	.....do	28	PX
151.4375	.....do	27, 28	PX
151.445	.....do	28	PX
151.4525	.....do	27, 28	PX
151.460	.....do	28	PX
151.4675	.....do	27, 28	PX
151.475	.....do	28	PX
151.4825	.....do	27, 28	PX
151.490	.....do	7, 28	PX
151.4975	.....do	7, 27, 28	PX
152.0075	Base	13, 19, 30	PS
153.740	Mobile	.....	PX
153.7475	.....do	27.....	PX

153.755	.....do	.....	PX
153.7625	.....do	27.....	PX
153.770	.....do	.....	PX
153.7775	.....do	27.....	PX
153.785	.....do	.....	PX
153.7925	.....do	27.....	PX
153.800	.....do	.....	PX
153.8075	.....do	27.....	PX
153.815	.....do	.....	PX
153.8225	.....do	27.....	PX
153.830	.....do	31	PX
153.8375	.....do	27, 31	PX
153.845	.....do	.....	PX
153.8525	.....do	27.....	PX
153.860	.....do	.....	PX
153.8675	.....do	27.....	PX
153.875	.....do	.....	PX
153.8825	.....do	27.....	PX
153.890	.....do	.....	PX
153.8975	.....do	27.....	PX
153.905	.....do	.....	PX
153.9125	.....do	27.....	PX
153.920	.....do	.....	PX
153.9275	.....do	27.....	PX
153.935	.....do	.....	PX
153.9425	.....do	27.....	PX
153.950	.....do	.....	PX
153.9575	.....do	27.....	PX
153.965	.....do	.....	PX
153.9725	.....do	27.....	PX
153.980	.....do	.....	PX
153.9875	.....do	27.....	PX
153.995	.....do	.....	PX
154.0025	.....do	27.....	PX
154.010	.....do	.....	PX
154.0175	.....do	27.....	PX
154.025	Base or mobile	.....	PX
154.0325	.....do	27.....	PX
154.040	.....do	28.....	PX
154.0475	.....do	27, 28	PX
154.055	.....do	28.....	PX
154.0625	.....do	27, 28	PX
154.070	Mobile	28.....	PX
154.0775	.....do	27, 28	PX
154.085	Base or mobile	28	PX
154.0925	.....do	27, 28	PX
154.100	.....do	28.....	PX
154.1075	.....do	27, 28	PX
154.115	.....do	28.....	PX
154.1225	.....do	27, 28	PX

154.130	do	28	PX
154.1375	do	27, 28	PX
154.145	do	28	PX
154.1525	do	27, 28	PX
154.160	do	28	PX
154.1675	do	27, 28	PX
154.175	do	28	PX
154.1825	do	27, 28	PX
154.190	do	28	PX
154.1975	do	27, 28	PX
154.205	do	28	PX
154.2125	do	27, 28	PX
154.220	do	28	PX
154.2275	do	27, 28	PX
154.235	do	28	PX
154.2425	do	27, 28	PX
154.250	do	28	PX
154.2575	do	27, 28	PX
154.265	do	19, 28	PX
154.2725	do	19, 27, 28	PX
154.280	do	19, 28	PX
154.2875	do	19, 27, 28	PX
154.295	do	19, 28	PX
154.3025	do	19, 27, 28	PX
154.310	do	28	PX
154.3175	do	27, 28	PX
154.325	do	28	PX
154.3325	do	27, 28	PX
154.340	do	28	PX
154.3475	do	27, 28	PX
154.355	do	28	PX
154.3625	do	27, 28	PX
154.370	do	28	PX
154.3775	do	27, 28	PX
154.385	do	28	PX
154.3925	do	27, 28	PX
154.400	do	28	PX
154.4075	do	27, 28	PX
154.415	do	28	PX
154.4225	do	27, 28	PX
154.430	do	28	PX
154.4375	do	27, 28	PX
154.445	do	28, 81	PX
154.4525	do	27, 28, 80..	PX
154.45625	Fixed or mobile	32, 33, 34, 35 .	PX
154.46375	do	33, 34, 35, 36, 37	PX
154.47125	do	33, 34, 35, 36 .	PX
154.47875	do	33, 34, 35, 37 .	PX
154.650	Mobile		PX
154.6575	do	27	PX

154.665	Base or mobile	16	PX
154.6725	do	16, 27	PX
154.680	do	16	PX
154.6875	do	16, 27	PX
154.695	do	16	PX
154.7025	do	16, 27	PX
154.710	Mobile		PX
154.7175	do	27	PX
154.725	Base or mobile		PX
154.7325	do	27	PX
154.740	do		PX
154.7475	do	27	PX
154.755	do		PX
154.7625	do	27	PX
154.770	Mobile		PX
154.7775	do	27	PX
154.785	Base or mobile		PX
154.7925	do	27	PX
154.800	do		PX
154.8075	do	27	PX
154.815	do		PX
154.8225	do	27	PX
154.830	Mobile		PX
154.8375	do	27	PX
154.845	Base or mobile		PX
154.8525	do	27	PX
154.860	do		PX
154.8675	do	27	PX
154.875	do		PX
154.8825	do	27	PX
154.890	Mobile		PX
154.8975	do	27	PX
154.905	Base or mobile	16	PX
154.9125	do	16, 27	PX
154.920	do	16	PX
154.9275	do	16, 27	PX
154.935	do	16	PX
154.9425	do	16, 27	PX
154.950	Mobile		PX
154.9575	do	27	PX
154.965	Base or mobile		PX
154.9725	do	27	PX
154.980	do		PX
154.9875	do	27	PX
154.995	do		PX
155.0025	do	27	PX
155.010	do		PX
155.0175	do	27	PX
155.025	do		PX
155.0325	do	27	PX

155.040	.....do		PX
155.0475	.....do	27	PX
155.055	.....do		PX
155.0625	.....do	27	PX
155.070	.....do		PX
155.0775	.....do	27	PX
155.085	.....do		PX
155.0925	.....do	27	PX
155.100	.....do		PX
155.1075	.....do	27	PX
155.115	.....do		PX
155.1225	.....do	27	PX
155.130	.....do		PX
155.1375	.....do	27	PX
155.145	.....do		PX
155.1525	.....do	27	PX
155.160	.....do	10	PS
155.1675	.....do	10, 27	PS
155.175	.....do	10	PS
155.1825	.....do	10, 27	PS
155.190	.....do		PX
155.1975	.....do	27	PX
155.205	.....do	10	PS
155.2125	.....do	10, 27	PS
155.220	.....do	10	PS
155.2275	.....do	10, 27	PS
155.235	.....do	10	PS
155.2425	.....do	10, 27	PS
155.250	.....do		PX
155.2575	.....do	27	PX
155.265	.....do	10	PS
155.2725	.....do	10, 27	PS
155.280	.....do	10	PS
155.2875	.....do	10, 27	PS
155.295	.....do	10	PS
155.3025	.....do	10, 27	PS
155.310	.....do		PX
155.3175	.....do	27	PX
155.325	.....do	38, 39	PX
155.3325	.....do	27, 38, 39	PX
155.340	.....do	39, 40	PX
155.3475	.....do	27, 39, 40	PX
155.355	.....do	38, 39	PX
155.3625	.....do	27, 38, 39	PX
155.370	.....do		PX
155.3775	.....do	27	PX
155.385	.....do	38, 39	PX
155.3925	.....do	27, 38, 39	PX
155.400	.....do	38, 39	PX
155.4075	.....do	27, 38, 39	PX

155.415	.....do	.....	PX
155.4225	.....do	27.....	PX
155.430	.....do	.....	PX
155.4375	.....do	27.....	PX
155.445	.....do	16	PX
155.4525	.....do	16, 27	PX
155.460	.....do	16	PX
155.4675	.....do	16, 27	PX
155.475	.....do	41	PX
155.4825	.....do	27, 41	PX
155.490	.....do	.....	PX
155.4975	.....do	27.....	PX
155.505	.....do	16	PX
155.5125	.....do	16, 27	PX
155.520	.....do	.....	PX
155.5275	.....do	27.....	PX
155.535	.....do	.....	PX
155.5425	.....do	27.....	PX
155.550	.....do	.....	PX
155.5575	.....do	27.....	PX
155.565	.....do	.....	PX
155.5725	.....do	27.....	PX
155.580	.....do	.....	PX
155.5875	.....do	27.....	PX
155.595	.....do	.....	PX
155.6025	.....do	27.....	PX
155.610	.....do	.....	PX
155.6175	.....do	27.....	PX
155.625	.....do	.....	PX
155.6325	.....do	27.....	PX
155.640	.....do	.....	PX
155.6475	.....do	27.....	PX
155.655	.....do	.....	PX
155.6625	.....do	27.....	PX
155.670	.....do	.....	PX
155.6775	.....do	27.....	PX
155.685	.....do	.....	PX
155.6925	.....do	27.....	PX
155.700	.....do	.....	PX
155.7075	.....do	27.....	PX
155.715	.....do	.....	PX
155.7225	.....do	27.....	PX
155.730	.....do	.....	PX
155.7375	.....do	27.....	PX
155.745	.....do	81	PX
155.7525	.....do	27, 80, 83	PX
155.760	.....do	81	PX
155.7675	.....do	27.....	PX
155.775	.....do	.....	PX
155.7825	.....do	27.....	PX

155.790	.....do		PX
155.7975	.....do	27	PX
155.805	.....do		PX
155.8125	.....do	27	PX
155.820	.....do		PX
155.8275	.....do	27	PX
155.835	.....do		PX
155.8425	.....do	27	PX
155.850	Mobile		PX
155.8575	.....do	27	PX
155.865	Base or mobile		PX
155.8725	.....do	27	PX
155.880	.....do		PX
155.8875	.....do	27	PX
155.895	.....do		PX
155.9025	.....do	27	PX
155.910	Mobile		PX
155.9175	.....do	27	PX
155.925	Base or mobile		PX
155.9325	.....do	27	PX
155.940	.....do		PX
155.9475	.....do	27	PX
155.955	.....do		PX
155.9625	.....do	27	PX
155.970	Mobile		PX
155.9775	.....do	27	PX
155.985	.....do		PX
155.9925	.....do	27	PX
156.000	.....do		PX
156.0075	.....do	27	PX
156.015	.....do		PX
156.0225	.....do	27	PX
156.030	.....do		PX
156.0375	.....do	27	PX
156.045	.....do	42	PX
156.0525	.....do	27, 42	PX
156.060	.....do	42	PX
156.0675	.....do	27, 42	PX
156.075	.....do		PX
156.0825	.....do	27	PX
156.090	.....do		PX
156.0975	.....do	27	PX
156.105	Base or mobile		PX
156.1125	.....do	27	PX
156.120	.....do		PX
156.1275	.....do	27	PX
156.135	.....do		PX
156.1425	.....do	27	PX
156.150	Mobile		PX
156.1575	.....do	27	PX

156.165	Base or mobile	42, 43	PX
156.1725	.....do	27, 42, 43	PX
156.180	.....do	42, 43	PX
156.1875	.....do	27, 42, 43	PX
156.195	.....do	43	PX
156.2025	.....do	27, 43	PX
156.210	.....do	.....	PX
156.2175	.....do	27.....	PX
156.225	.....do	43	PX
156.2325	.....do	27, 43	PX
156.240	.....do	43, 79	PX
157.450	.....do	13, 45, 30	PS
158.7225	.....do	44	PX
158.730	.....do	81	PX
158.7375	.....do	27, 80	PX
158.745	Base or mobile	81	PX
158.7525	.....do	27.....	PX
158.760	.....do	.....	PX
158.7675	.....do	27.....	PX
158.775	.....do	.....	PX
158.7825	.....do	27.....	PX
158.790	Base or mobile	.....	PX
158.7975	.....do	27.....	PX
158.805	Base and mobile ...	.....	PX
158.8125	.....do	27.....	PX
158.820	.....do	.....	PX
158.8275	.....do	27.....	PX
158.835	.....do	.....	PX
158.8425	.....do	27.....	PX
158.850	Base or mobile	.....	PX
158.8575	.....do	27.....	PX
158.865	Mobile	.....	PX
158.8725	.....do	27.....	PX
158.880	.....do	.....	PX
158.8875	.....do	27.....	PX
158.895	.....do	.....	PX
158.9025	.....do	27.....	PX
158.910	.....do	.....	PX
158.9175	.....do	27.....	PX
158.925	.....do	.....	PX
158.9325	.....do	27.....	PX
158.940	.....do	.....	PX
158.9475	.....do	27.....	PX
158.955	.....do	.....	PX
158.9625	.....do	27.....	PX
158.970	.....do	.....	PX
158.9775	.....do	27.....	PX
158.985	.....do	43	PX
158.9925	.....do	27, 43	PX
159.000	.....do	43	PX

159.0075	do	27, 43	PX
159.015	do	43	PX
159.0225	do	27, 43	PX
159.030	do		PX
159.0375	do	27	PX
159.045	do	43	PX
159.0525	do	27, 43	PX
159.060	do	43	PX
159.0675	do	27, 43	PX
159.075	do	43	PX
159.0825	do	27, 43	PX
159.090	Base or mobile		PX
159.0975	do	27	PX
159.105	do	43	PX
159.1125	do	27, 43	PX
159.120	do	43	PX
159.1275	do	27, 43	PX
159.135	do	43	PX
159.1425	do	27, 43	PX
159.150	do		PX
159.1575	do	27	PX
159.165	do	43	PX
159.1725	do	27, 43	PX
159.180	do		PX
159.1875	do	27	PX
159.195	do		PX
159.2025	do	27	PX
159.210	do		PX
159.2175	do	27	PX
159.225	do		PX
159.2325	do	27	PX
159.240	do	46	PX
159.2475	do	27, 46	PX
159.255	do	46	PX
159.2625	do	27, 46	PX
159.270	do	46	PX
159.2775	do	27, 46	PX
159.285	do	46	PX
159.2925	do	27, 46	PX
159.300	do	46	PX
159.3075	do	27, 46	PX
159.315	do	46	PX
159.3225	do	27, 46	PX
159.330	do	46	PX
159.3375	do	27, 46	PX
159.345	do	46	PX
159.3525	do	27, 46	PX
159.360	do	46	PX
159.3675	do	27, 46	PX
159.375	do	46	PX

159.3825	.....do	27, 46	PX
159.390	.....do	46	PX
159.3975	.....do	27, 46	PX
159.405	.....do	46	PX
159.4125	.....do	27, 46	PX
159.420	.....do	46	PX
159.4275	.....do	27, 46	PX
159.435	.....do	46	PX
159.4425	.....do	27, 46	PX
159.450	.....do	.....	PX
159.4575	.....do	27	PX
159.465	.....do	81	PX
159.4725	.....do	27, 80	PX
163.250	.....do	13, 30	PS
166.250	.....do	47	PX
169 to 172	Mobile	48	.....
170.150	Base or mobile	47	PX
170.425	.....do	9, 49, 50	PX
170.475	.....do	9, 49, 51	PX
170.575	.....do	9, 49, 50	PX
171.425	.....do	9, 49, 51	PX
171.475	.....do	9, 50, 52	PX
171.575	.....do	9, 49, 51	PX
172.225	.....do	9, 49, 50	PX
172.275	.....do	9, 51, 52	PX
172.375	.....do	9, 49, 50	PX
173.075	.....do	53	PX
173.20375	Fixed or mobile	33, 34, 35, 36 .	PX
173.210	.....do	33, 34, 35, 36 .	PX
173.2375	.....do	32, 33, 34, 35 .	PX
173.2625	.....do	32, 33, 34, 35 .	PX
173.2875	.....do	32, 33, 34, 35 .	PX
173.3125	.....do	32, 33, 34, 35 .	PX
173.3375	.....do	32, 33, 34, 35 .	PX
173.3625	.....do	32, 33, 34, 35 .	PX
173.390	.....do	32, 33, 34, 35 .	PX
173.39625	.....do	33, 34, 35, 36 .	PX
220 to 222	Base and mobile	55	.....
220.8025	Base	55	PX, PS
220.8075	.....do	55	PX, PS
220.8125	.....do	55	PX, PS
220.8175	.....do	55	PX, PS
220.8225	.....do	55	PX, PS
220.8275	.....do	55	PX, PS
220.8325	.....do	55	PX, PS
220.8375	.....do	55	PX, PS
220.8425	.....do	55	PX, PS
220.8475	.....do	55	PX, PS
220.9025	.....do	55	PX
220.9075	.....do	55	PX

220.9125	.....do	55	PX
220.9175	.....do	55	PX
220.9225	.....do	55	PX
221.8025	Mobile	55	PX, PS
221.8075	.....do	55	PX, PS
221.8125	.....do	55	PX, PS
221.8175	.....do	55	PX, PS
221.8225	.....do	55	PX, PS
221.8275	.....do	55	PX, PS
221.8325	.....do	55	PX, PS
221.8375	.....do	55	PX, PS
221.8425	.....do	55	PX, PS
221.8475	.....do	55	PX, PS
221.9025	.....do	55	PX
221.9075	.....do	55	PX
221.9125	.....do	55	PX
221.9175	.....do	55	PX
221.9225	.....do	55	PX
450 to 470	Fixed, base, or mobile ..	26, 56	
453.0125	Mobile	57, 78	PX
453.03125	Base or mobile	44, 59, 60, 61, 62	PX
453.0375	.....do	27, 59, 60, 61, 62	PX
453.04375	.....do	44, 59, 60, 61, 62	PX
453.050	.....do	.....	PX
453.05625	.....do	44	PX
453.0625	.....do	27	PX
453.06875	.....do	44	PX
453.075	Central control, fixed base, or mobile	58, 59, 60, 61, 62.	PX
453.08125	Base or mobile	44, 59, 60, 61, 62	PX
453.0875	.....do	27, 59, 60, 61, 62	PX
453.09375	.....do	44, 59, 60, 61, 62	PX
453.100	.....do	.....	PX
453.10625	.....do	44	PX
453.1125	.....do	27	PX
453.11875	.....do	44	PX
453.125	Central control, fixed base, or mobile	58, 59, 60, 61, 62 ..	PX
453.13125	Base or mobile	44, 59, 60, 61, 62	PX
453.1375	.....do	27, 59, 60, 61, 62	PX
453.14375	.....do	44, 59, 60, 61, 62	PX
453.150	.....do	.....	PX
453.15625	.....do	44	PX
453.1625	.....do	27	PX
453.16875	.....do	44	PX
453.175	Central control, fixed base, or mobile	58, 59, 60, 61, 62 ..	PX
453.18125	Base or mobile	44, 59, 60, 61, 62	PX
453.1875	.....do	27, 59, 60, 61, 62	PX
453.19375	.....do	44, 59, 60, 61, 62	PX

453.200	.....do	81	PX
453.20625	.....do	44, 82	PX
453.2125	.....do	27, 80, 83 ..	PX
453.21875	.....do	44, 82	PX
453.225	.....do	81	PX
453.23125	.....do	44	PX
453.2375	.....do	27	PX
453.24375	.....do	44	PX
453.250	.....do	.....	PX
453.25625	.....do	44	PX
453.2625	.....do	27	PX
453.26875	.....do	44	PX
453.275	.....do	.....	PX
453.28125	.....do	44	PX
453.2875	.....do	27	PX
453.29375	.....do	44	PX
453.300	.....do	.....	PX
453.30625	.....do	44	PX
453.3125	.....do	27	PX
453.31875	.....do	44	PX
453.325	.....do	.....	PX
453.33125	.....do	44	PX
453.3375	.....do	27	PX
453.34375	.....do	44	PX
453.350	.....do	.....	PX
453.35625	.....do	44	PX
453.3625	.....do	27	PX
453.36875	.....do	44	PX
453.375	.....do	.....	PX
453.38125	.....do	44	PX
453.3875	.....do	27	PX
453.39375	.....do	44	PX
453.400	.....do	.....	PX
453.40625	.....do	44	PX
453.4125	.....do	27	PX
453.41875	.....do	44	PX
453.425	.....do	.....	PX
453.43125	.....do	44	PX
453.4375	.....do	27	PX
453.44375	.....do	44	PX
453.450	.....do	81	PX
453.45625	.....do	44, 82	PX
453.4625	.....do	27, 80	PX
453.46875	.....do	44, 82	PX
453.475	.....do	81	PX
453.48125	.....do	44	PX
453.4875	.....do	27	PX
453.49375	.....do	44	PX
453.500	.....do	.....	PX
453.50625	.....do	44	PX

453.5125	.....do	27	PX
453.51875	.....do	44	PX
453.525	.....do	.....	PX
453.53125	.....do	44	PX
453.5375	.....do	27	PX
453.54375	.....do	44	PX
453.550	.....do	.....	PX
453.55625	.....do	44	PX
453.5625	.....do	27	PX
453.56875	.....do	44	PX
453.575	.....do	.....	PX
453.58125	.....do	44	PX
453.5875	.....do	27	PX
453.59375	.....do	44	PX
453.600	.....do	.....	PX
453.60625	.....do	44	PX
453.6125	.....do	27	PX
453.61875	.....do	44	PX
453.625	.....do	.....	PX
453.63125	.....do	44	PX
453.6375	.....do	27	PX
453.64375	.....do	44	PX
453.650	.....do	.....	PX
453.65625	.....do	44	PX
453.6625	.....do	27	PX
453.66875	.....do	44	PX
453.675	.....do	.....	PX
453.68125	.....do	44	PX
453.6875	.....do	27	PX
453.69375	.....do	44	PX
453.700	.....do	81	PX
453.70625	.....do	44, 82	PX
453.7125	.....do	27, 80	PX
453.71875	.....do	44, 82	PX
453.725	.....do	81	PX
453.73125	.....do	44	PX
453.7375	.....do	27	PX
453.74375	.....do	44	PX
453.750	.....do	.....	PX
453.75625	.....do	44	PX
453.7625	.....do	27	PX
453.76875	.....do	44	PX
453.775	.....do	.....	PX
453.78125	.....do	44	PX
453.7875	.....do	27	PX
453.79375	.....do	44	PX
453.800	.....do	.....	PX
453.80625	.....do	44	PX
453.8125	.....do	27	PX
453.81875	.....do	44	PX

453.825	.....do	.....	PX
453.83125	.....do	44	PX
453.8375	.....do	27	PX
453.84375	.....do	44	PX
453.850	.....do	81	PX
453.85625	.....do	44, 82	PX
453.8625	.....do	27, 80	PX
453.86875	.....do	44, 82	PX
453.875	.....do	81	PX
453.88125	.....do	44	PX
453.8875	.....do	27	PX
453.89375	.....do	44	PX
453.900	.....do	.....	PX
453.90625	.....do	44	PX
453.9125	.....do	27	PX
453.91875	.....do	44	PX
453.925	.....do	.....	PX
453.93125	.....do	44	PX
453.9375	.....do	27	PX
453.94375	.....do	44	PX
453.950	.....do	.....	PX
453.95625	.....do	44	PX
453.9625	.....do	27	PX
453.96875	.....do	44	PX
453.975	.....do	.....	PX
453.98125	.....do	44	PX
453.9875	.....do	27	PX
453.99375	.....do	44	PX
458.0125	Mobile	57	PS
458.025	Central control, fixed base, or mobile	58, 59, 61, 62, 63 .	PX
458.03125	Mobile	44, 59, 61, 62 .	PX
458.0375	.....do	27, 59, 61, 62 .	PX
458.04375	.....do	44, 59, 61, 62 .	PX
458.050	.....do	.....	PX
458.05625	.....do	44	PX
458.0625	.....do	27	PX
458.06875	.....do	44	PX
458.075	Central control, fixed base, or mobile	58, 59, 61, 62, 63 .	PX
458.08125	Mobile	44, 59, 61, 62 .	PX
458.0875	.....do	27, 59, 61, 62 .	PX
458.09375	.....do	44, 59, 61, 62 .	PX
458.100	.....do	.....	PX
458.10625	.....do	44	PX
458.1125	.....do	27	PX
458.11875	.....do	44	PX
458.125	Central control, fixed base, or mobile	58, 59, 61, 62, 63 .	PX
458.13125	Mobile	44, 59, 61, 62 .	PX

458.1375	.....do	27, 59, 61, 62 .	PX
458.14375	.....do	44, 59, 61, 62 .	PX
458.150	.....do	.....	PX
458.15625	.....do	44	PX
458.1625	.....do	27	PX
458.16875	.....do	44	PX
458.175	Central control, fixed base, or mobile	58, 59, 61, 62, 63 .	PX
458.18125	Mobile	44, 59, 61, 62 .	PX
458.1875	.....do	27, 59, 61, 62 .	PX
458.19375	.....do	44, 59, 61, 62 .	PX
458.200	.....do	81	PX
458.20625	.....do	44, 82	PX
458.2125	.....do	27, 80, 83 .	PX
458.21875	.....do	44, 82	PX
458.225	.....do	81	PX
458.23125	.....do	44	PX
458.2375	.....do	27	PX
458.24375	.....do	44	PX
458.250	.....do	.....	PX
458.25625	.....do	44	PX
458.2625	.....do	27	PX
458.26875	.....do	44	PX
458.275	.....do	.....	PX
458.28125	.....do	44	PX
458.2875	.....do	27	PX
458.29375	.....do	44	PX
458.300	.....do	.....	PX
458.30625	.....do	44	PX
458.3125	.....do	27	PX
458.31875	.....do	44	PX
458.325	.....do	.....	PX
458.33125	.....do	44	PX
458.3375	.....do	27	PX
458.34375	.....do	44	PX
458.350	.....do	.....	PX
458.35625	.....do	44	PX
458.3625	.....do	27	PX
458.36875	.....do	44	PX
458.375	.....do	.....	PX
458.38125	.....do	44	PX
458.3875	.....do	27	PX
458.39375	.....do	44	PX
458.400	.....do	.....	PX
458.40625	.....do	44	PX
458.4125	.....do	27	PX
458.41875	.....do	44	PX
458.425	.....do	.....	PX
458.43125	.....do	44	PX
458.4375	.....do	27	PX

458.44375	.....do	44	PX
458.450	.....do	81	PX
458.45625	.....do	44, 82	PX
458.4625	.....do	27, 80	PX
458.46875	.....do	44, 82	PX
458.475	.....do	81	PX
458.48125	.....do	44	PX
458.4875	.....do	27	PX
458.49375	.....do	44	PX
458.500	.....do	.....	PX
458.50625	.....do	44	PX
458.5125	.....do	27	PX
458.51875	.....do	44	PX
458.525	.....do	.....	PX
458.53125	.....do	44	PX
458.5375	.....do	27	PX
458.54375	.....do	44	PX
458.550	.....do	.....	PX
458.55625	.....do	44	PX
458.5625	.....do	27	PX
458.56875	.....do	44	PX
458.575	.....do	.....	PX
458.58125	.....do	44	PX
458.5875	.....do	27	PX
458.59375	.....do	44	PX
458.600	.....do	.....	PX
458.60625	.....do	44	PX
458.6125	.....do	27	PX
458.61875	.....do	44	PX
458.625	.....do	.....	PX
458.63125	.....do	44	PX
458.6375	.....do	27	PX
458.64375	.....do	44	PX
458.650	.....do	.....	PX
458.65625	.....do	44	PX
458.6625	.....do	27	PX
458.66875	.....do	44	PX
458.675	.....do	.....	PX
458.68125	.....do	44	PX
458.6875	.....do	27	PX
458.69375	.....do	44	PX
458.700	.....do	81	PX
458.70625	.....do	44, 82	PX
458.7125	.....do	27, 80	PX
458.71875	.....do	44, 82	PX
458.725	.....do	81	PX
458.73125	.....do	44	PX
458.7375	.....do	27	PX
458.74375	.....do	44	PX
458.750	.....do	.....	PX

458.75625	do	44	PX
458.7625	do	27	PX
458.76875	do	44	PX
458.775	do		PX
458.78125	do	44	PX
458.7875	do	27	PX
458.79375	do	44	PX
458.800	do		PX
458.80625	do	44	PX
458.8125	do	27	PX
458.81875	do	44	PX
458.825	do		PX
458.83125	do	44	PX
458.8375	do	27	PX
458.84375	do	44	PX
458.850	do	81	PX
458.85625	do	44, 82	PX
458.8625	do	27, 80	PX
458.86875	do	44, 82	PX
458.875	do	81	PX
458.88125	do	44	PX
458.8875	do	27	PX
458.89375	do	44	PX
458.900	do		PX
458.90625	do	44	PX
458.9125	do	27	PX
458.91875	do	44	PX
458.925	do		PX
458.93125	do	44	PX
458.9375	do	27	PX
458.94375	do	44	PX
458.950	do		PX
458.95625	do	44	PX
458.9625	do	27	PX
458.96875	do	44	PX
458.975	do		PX
458.98125	do	44	PX
458.9875	do	27	PX
458.99375	do	44	PX
460.0125	do	27, 64	PX
460.01875	Base or mobile	44	PX
460.025	do		PX
460.03125	do	44	PX
460.0375	do	27	PX
460.04375	do	44	PX
460.050	do		PX
460.05626	do	44	PX
460.0625	do	27	PX
460.06875	do	44	PX
460.075	do		PX

460.08125	.....do	44	PX
460.0875	.....do	27	PX
460.09375	.....do	44	PX
460.100	.....do	.....	PX
460.10625	.....do	44	PX
460.1125	.....do	27	PX
460.11875	.....do	44	PX
460.125	.....do	.....	PX
460.13125	.....do	44	PX
460.1375	.....do	27	PX
460.14375	.....do	44	PX
460.150	.....do	.....	PX
460.15625	.....do	44	PX
460.1625	.....do	27	PX
460.16875	.....do	44	PX
460.175	.....do	.....	PX
460.18125	.....do	44	PX
460.1875	.....do	27	PX
460.19375	.....do	44	PX
460.200	.....do	.....	PX
460.20625	.....do	44	PX
460.2125	.....do	27	PX
460.21875	.....do	44	PX
460.225	.....do	.....	PX
460.23125	.....do	44	PX
460.2375	.....do	27	PX
460.24375	.....do	44	PX
460.250	.....do	.....	PX
460.25625	.....do	44	PX
460.2625	.....do	27	PX
460.26875	.....do	44	PX
460.275	.....do	.....	PX
460.28125	.....do	44	PX
460.2875	.....do	27	PX
460.29375	.....do	44	PX
460.300	.....do	.....	PX
460.30625	.....do	44	PX
460.3125	.....do	27	PX
460.31875	.....do	44	PX
460.325	.....do	.....	PX
460.33125	.....do	44	PX
460.3375	.....do	27	PX
460.34375	.....do	44	PX
460.350	.....do	.....	PX
460.35625	.....do	44	PX
460.3625	.....do	27	PX
460.36875	.....do	44	PX
460.375	.....do	.....	PX
460.38125	.....do	44	PX
460.3875	.....do	27	PX

460.39375	.....do	44	PX
460.400	.....do	.....	PX
460.40625	.....do	44	PX
460.4125	.....do	27	PX
460.41875	.....do	44	PX
460.425	.....do	.....	PX
460.43125	.....do	44	PX
460.4375	.....do	27	PX
460.44375	.....do	44	PX
460.450	.....do	.....	PX
460.45625	.....do	44	PX
460.4625	.....do	27	PX
460.46875	.....do	44	PX
460.475	.....do	.....	PX
460.48125	.....do	44	PX
460.4875	.....do	27	PX
460.49375	.....do	44	PX
460.500	.....do	.....	PX
460.50625	.....do	44	PX
460.5125	.....do	27	PX
460.51875	.....do	44	PX
460.525	.....do	.....	PX
460.53125	.....do	44	PX
460.5375	.....do	27	PX
460.54375	.....do	44	PX
460.550	.....do	.....	PX
460.55625	.....do	44	PX
460.5625	.....do	27	PX
460.56875	.....do	44	PX
460.575	.....do	.....	PX
460.58125	.....do	44	PX
460.5875	.....do	27	PX
460.59375	.....do	44	PX
460.600	.....do	.....	PX
460.60625	.....do	44	PX
460.6125	.....do	27	PX
460.61875	.....do	44	PX
460.625	.....do	.....	PX
460.63125	.....do	44	PX
460.6375	.....do	27	PX
460.64375	.....do	44	PX
462.9375	Mobile	57	PS
462.950	Base or mobile	38, 65	PX
462.95625	.....do	38, 44, 65	PX
462.9625	.....do	27, 38, 65	PX
462.96875	.....do	38, 44, 65	PX
462.975	.....do	38, 65	PX
462.98125	.....do	38, 44, 65	PX
462.9875	.....do	27, 38, 65	PX
462.99375	.....do	38, 44, 65	PX

463.000	.....do	59, 66, 76	PX
463.00625	.....do	44, 59, 66, 76 .	PX
463.0125	.....do	27, 59, 66, 67 .	PX
463.01875	.....do	44, 59, 66, 76 .	PX
463.025	.....do	59, 66, 76	PX
463.03125	.....do	44, 59, 66, 76 .	PX
463.0375	.....do	27, 59, 66, 67 .	PX
463.04375	.....do	44, 59, 66, 76 .	PX
463.050	.....do	59, 66, 76	PX
463.05625	.....do	44, 59, 66, 76 .	PX
463.0625	.....do	27, 59, 66, 67 .	PX
463.06875	.....do	44, 59, 66, 76 .	PX
463.075	.....do	59, 66, 76	PX
463.08125	.....do	44, 59, 66, 76 .	PX
463.0875	.....do	27, 59, 66, 67 .	PX
463.09375	.....do	44, 59, 66, 76 .	PX
463.100	.....do	59, 66, 76	PX
463.10625	.....do	44, 59, 66, 76 .	PX
463.1125	.....do	27, 59, 66, 67 .	PX
463.11875	.....do	44, 59, 66, 76 .	PX
463.125	.....do	59, 66, 76	PX
463.13125	.....do	44, 59, 66, 76 .	PX
463.1375	.....do	27, 59, 66, 67 .	PX
463.14375	.....do	44, 59, 66, 76 .	PX
463.150	.....do	59, 66, 76	PX
463.15625	.....do	44, 59, 66, 76 .	PX
463.1625	.....do	27, 59, 66, 67 .	PX
463.16875	.....do	44, 59, 66, 76 .	PX
463.175	.....do	59, 66, 76	PX
463.18125	.....do	44, 59, 66, 76 .	PX
463.1875	.....do	27, 59, 66, 67 .	PX
463.19375	.....do	44, 59, 66, 76 .	PX
465.0125	Mobile	57	PX
465.025	.....do	.....	PX
465.03125	.....do	44	PX
465.0375	.....do	27	PX
465.04375	.....do	44	PX
465.050	.....do	.....	PX
465.05625	.....do	44	PX
465.0625	.....do	27	PX
465.06875	.....do	44	PX
465.075	.....do	.....	PX
465.08125	.....do	44	PX
465.0875	.....do	27	PX
465.09375	.....do	44	PX
465.100	.....do	.....	PX
465.10625	.....do	44	PX
465.1125	.....do	27	PX
465.11875	.....do	44	PX
465.125	.....do	.....	PX

465.13125	.....do	44	PX
465.1375	.....do	27	PX
465.14375	.....do	44	PX
465.150	.....do	.....	PX
465.15625	.....do	44	PX
465.1625	.....do	27	PX
465.16875	.....do	44	PX
465.175	.....do	.....	PX
465.18125	.....do	44	PX
465.1875	.....do	27	PX
465.19375	.....do	44	PX
465.200	.....do	.....	PX
465.20625	.....do	44	PX
465.2125	.....do	27	PX
465.21875	.....do	44	PX
465.225	.....do	.....	PX
465.23125	.....do	44	PX
465.2375	.....do	27	PX
465.24375	.....do	44	PX
465.250	.....do	.....	PX
465.25625	.....do	44	PX
465.2625	.....do	27	PX
465.26875	.....do	44	PX
465.275	.....do	.....	PX
465.28125	.....do	44	PX
465.2875	.....do	27	PX
465.29375	.....do	44	PX
465.300	.....do	.....	PX
465.30625	.....do	44	PX
465.3125	.....do	27	PX
465.31875	.....do	44	PX
465.325	.....do	.....	PX
465.33125	.....do	44	PX
465.3375	.....do	27	PX
465.34375	.....do	44	PX
465.350	.....do	.....	PX
465.35625	.....do	44	PX
465.3625	.....do	27	PX
465.36875	.....do	44	PX
465.375	.....do	.....	PX
465.38125	.....do	44	PX
465.3875	.....do	27	PX
465.39375	.....do	44	PX
465.400	.....do	.....	PX
465.40625	.....do	44	PX
465.4125	.....do	27	PX
465.41875	.....do	44	PX
465.425	.....do	.....	PX
465.43125	.....do	44	PX
465.4375	.....do	27	PX

465.44375	.....do	44	PX
465.450	.....do	.....	PX
465.45625	.....do	44	PX
465.4625	.....do	27	PX
465.46875	.....do	44	PX
465.475	.....do	.....	PX
465.48125	.....do	44	PX
465.4875	.....do	27	PX
465.49375	.....do	44	PX
465.500	.....do	.....	PX
465.50625	.....do	44	PX
465.5125	.....do	27	PX
465.51875	.....do	44	PX
465.525	.....do	.....	PX
465.53125	.....do	44	PX
465.5375	.....do	27	PX
465.54375	.....do	44	PX
465.550	Base or mobile	.....	PX
465.55625	.....do	44	PX
465.5625	.....do	27	PX
465.56875	.....do	44	PX
465.575	Mobile	.....	PX
465.58125	.....do	44	PX
465.5875	.....do	27	PX
465.59375	.....do	44	PX
465.600	.....do	.....	PX
465.60625	.....do	44	PX
465.6125	.....do	27	PX
465.61875	.....do	44	PX
465.625	.....do	.....	PX
465.63125	.....do	44	PX
465.6375	.....do	27	PX
465.64375	.....do	44	PX
467.9375	.....do	57	PX
467.950	.....do	38, 65	PX
467.95625	.....do	38, 44, 65	PX
467.9625	.....do	27, 38, 65	PX
467.96875	.....do	38, 44, 65	PX
467.975	.....do	38, 65	PX
467.98125	.....do	38, 44, 65	PX
467.9875	.....do	27, 38, 65	PX
467.99375	.....do	38, 44, 65	PX
468.000	.....do	59, 66, 76	PX
468.00625	.....do	44, 59, 66, 76	PX
468.0125	.....do	27, 59, 66, 76	PX
468.01875	.....do	44, 59, 66, 76	PX
468.025	.....do	59, 66, 76	PX
468.03125	.....do	44, 59, 66, 76	PX
468.0375	.....do	27, 59, 66, 76	PX
468.04375	.....do	44, 59, 66, 76	PX

468.050	.....do	59, 66, 76	PX
468.05625	.....do	44, 59, 66, 76	PX
468.0625	.....do	27, 59, 66, 76	PX
468.06875	.....do	44, 59, 66, 76	PX
468.075	.....do	59, 66, 76	PX
468.08125	.....do	44, 59, 66, 76	PX
468.0875	.....do	27, 59, 66, 76	PX
468.09375	.....do	44, 59, 66, 76	PX
468.100	.....do	59, 66, 76	PX
468.10625	.....do	44, 59, 66, 76	PX
468.1125	.....do	27, 59, 66, 76	PX
468.11875	.....do	44, 59, 66, 76	PX
468.125	.....do	59, 66, 76	PX
468.13125	.....do	44, 59, 66, 76	PX
468.1375	.....do	27, 59, 66, 76	PX
468.14375	.....do	44, 59, 66, 76	PX
468.150	.....do	59, 66, 76	PX
468.15625	.....do	44, 59, 66, 76	PX
468.1625	.....do	27, 59, 66, 76	PX
468.16875	.....do	44, 59, 66, 76	PX
468.175	.....do	59, 66, 76	PX
468.18125	.....do	44, 59, 66, 76	PX
468.1875	.....do	27, 59, 66, 76	PX
468.19375	.....do	44, 59, 66, 76	PX
470 to 512	Base or mobile	68.....	
764 to 776	Base, mobile	77	PX
794 to 806	Mobile	77	PX
806 to 824	Mobile	69	
851 to 859	Base or mobile	69	
928 and above	Operational fixed	70	
929 to 930	Base only	71	
1,427 to 1,435	Operational fixed, base, or mobile	72	
2,450 to 2,500	Base or mobile	73	
10,550 to 10,680 ...	.....do	74	

43. If we were to adopt a contour overlap analysis in the Public Safety Pool below-470 MHz then Section 90.20 is amended by revising paragraph (c)(2) to add subparagraph (iii) to read as follows:

§ 90.20 Public Safety Pool

* * * * *

(c) * * *

(2) * * *

(i) * * *

(ii) * * *

(iii) Applications for new or modified facilities on frequencies allocated prior to radio service consolidation in the former Emergency Medical Radio Service, the Fire Radio Service, the Forestry Conservation Radio Service, the Highway Maintenance Radio Service, and the Police Radio Service, may be coordinated by any certified Public Safety coordinator. However, in the event that the interference contour of a proposed station would overlap the service contour of an existing station licensed on one of these previously shared frequencies, the written concurrence of the coordinator associated with the public safety radio service for which the existing station license was issued, or the written concurrence of the licensee of the existing station, shall be obtained. For the purposes of this Section 90.20, the service contour for UHF stations is the 39 dBu contour; and the interference contour for UHF stations is the 21 dBu contour; the service contour for VHF stations is the 37 dBu contour; and the interference contour for VHF stations is the 19 dBu contour.

2. If we were to adopt a contour overlap analysis in the Public Safety Pool below-470 MHz then Section 90.175 would be amended by revising the paragraph (b)(1) to read as follows:

§ 90.175 Frequency Coordination Requirements

* * * * *

(b) For frequencies between 25 and 470 MHz:

44. (1) A statement is required from the applicable frequency coordinator as specified in §§ 90.20(c)(2) and 90.35(b) recommending the most appropriate frequency. In addition, if the interference contour of a proposed station would overlap the service contour of a station on a frequency formerly allocated to the former Emergency Medical Radio Service, Fire Radio Service, Forestry Conservation Radio Service, Highway Maintenance Radio Service, and Police Radio Service, or shared prior to radio service consolidation by licensees in the Manufacturers Radio Service, the Forest Products Radio Service, the Power Radio Service, the Petroleum Radio Service, the Motor Carrier Radio Service, the Railroad Radio Service, the Telephone Maintenance Radio Service, or the Automobile Emergency Radio Service, the written concurrence of the coordinator for the public safety or industry-specific service, or the written concurrence of the licensee itself, must be obtained. Requests for concurrence must be responded to within 20 days of receipt of the request. The written request for concurrence shall advise the receiving party of the maximum 20 day response period. The coordinator's recommendation may include comments on technical factors such as power, antenna height and gain, terrain and other factors which may serve to minimize potential interference. In addition: